

OFFICER'S REPORT FOR:

Independent Hearing Commissioners:

Trevor Robinson

Mark St Clair

David McMahon

Miria Pomare

Julia Williams

SUBJECT:

**Proposed Porirua District Plan: Definitions and
Nesting Tables**

PREPARED BY:

Michael Rachlin

REPORT DATED:

27 August 2021

DATE OF HEARING:

27 September to 1 October 2021

Executive Summary

1. This report considers submissions received by Porirua City Council (the Council) in relation to the definitions nesting tables and to definitions that will not be addressed in the individual topic s42A reports. The report sets out recommendations in response to these submissions.
2. There were a number of submissions and further submissions received on the definitions nesting tables and definitions. The following are considered to be the key matters for this chapter:
 - Amendments sought to the Definitions Nesting tables;
 - Requested new definitions;
 - Deletion of definitions; and
 - Amendments sought to definitions.
3. This report addresses each of these key matters.
4. I have recommended some changes to the PDP Definitions Nesting tables and definitions to address matters raised in submissions and are summarised below:
 - Amendments to the definitions nesting tables to include supported residential care activity and relocate temporary military training activities;
 - Deletion of the definition for contractor's yard; and
 - Amendments to the definitions of childcare services, commercial service activity, net site area, supermarket and tertiary education services.
5. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in section Appendix A of this report. Definitions which are to be addressed in later hearing streams and so do not form part of my recommendations here, have been shown in a grey box. I have kept them in the amended chapter for the sake of completeness and to help retain the overall 'picture' of the definitions proposed for the PDP.
6. For the reasons included throughout this report, I consider that the proposed definitions, with the recommended amendments, will be the most appropriate means to:
 - achieve the purpose of the RMA where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

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Interpretation

7. Parts A and B of the Officer's reports utilise a number of abbreviations for brevity as set out in Table 1 below:

Table 1: Abbreviations

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited
Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
KiwiRail	KiwiRail Holdings Limited
NZDF	New Zealand Defence Force
Oil companies	Z Energy, BP Oil NZ Ltd and Mobil Oil NZ Limited
Oranga Tamariki	Oranga Tamariki – Ministry of Children
QEII	Queen Elizabeth the Second National Trust
RNZ	Radio New Zealand
Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
TROTR	Te Rūnanga o Toa Rangatira
Waka Kotahi	Waka Kotahi NZ Transport Agency
WE	Wellington Electricity Lines Limited
Woolworths	Woolworths New Zealand Limited

Table 2: Abbreviations of Submitters' Names

Abbreviation	Means
Dept of Corrections	Ara Poutama Aotearoa the Department of Corrections
DOC	Department of Conservation Te Papa Atawhai
FENZ	Fire and Emergency New Zealand
Foodstuffs	Foodstuffs North Island Limited
Forest and Bird	Royal Forest and Bird Protection Society
GWRC	Greater Wellington Regional Council
Harvey Norman	Harvey Norman Properties (N.Z.) Limited
Heritage NZ	Heritage New Zealand Pouhere Taonga
House Movers Association	House Movers section of the New Zealand Heavy Haulage Association Inc
Kāinga Ora	Kāinga Ora – Homes and Communities
NZDF	New Zealand Defence Force
Oranga Tamariki	Oranga Tamariki – Ministry of Children
RNZ	Radio New Zealand

Survey+Spatial	Survey+Spatial New Zealand (Wellington Branch)
Telco	Spark New Zealand Trading Limited, Chorus New Zealand Limited, Vodafone New Zealand Limited
Transpower	Transpower New Zealand Ltd
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In addition, references to submissions includes further submissions, unless otherwise stated.

1 Introduction

1.1 Purpose

8. The purpose of this report is to provide the Hearing Panel with a summary and analysis of the submissions received on the definitions nesting table and definitions, and to recommend possible amendments to the PDP in response to those submissions.
9. This report is prepared under section 42A of the RMA. It considers submissions received by the Council in relation to the definitions nesting table and definitions in the PDP. The report outlines recommendations in response to these submissions.
10. This report discusses deletions and changes sought to the definitions nesting table and definitions that appear across more than one hearing stream, the original and further submissions received following notification of the PDP, makes recommendations as to whether or not those submissions should be accepted or rejected, and concludes with a recommendation for changes to the definitions nesting table and definitions based on the preceding discussion in the report. Submissions and further submissions received to definitions not included in this report will be addressed in topic-based reports in later hearing streams.
11. This report is provided to assist the Hearings Panel in their role as Independent Commissioners. The Hearings Panel may choose to accept or reject the conclusions and recommendations of this report and may come to different conclusions and make different recommendations, based on the information and evidence provided to them by submitters.
12. This report is intended to be read in conjunction with Officers' Report: Part A – Overview which contains factual background information, statutory context and administrative matters pertaining to the district plan review and PDP definitions and definitions nesting tables.

1.2 Author

13. My name is Michael David Rachlin. My qualifications and experience are set out in Appendix C of this report.
14. My role in preparing this report is that of an expert planner.
15. I was involved in the preparation of the PDP and authored the Section 32 Evaluation Reports for Residential Zones, Contaminated Land, Hazardous Substances, General Industrial Zone, and Temporary Activity.
16. Although this is a Council Hearing, I have read the Code of Conduct for Expert Witnesses contained in the Practice Note issued by the Environment Court December 2014. I have complied with that Code when preparing my written statement of evidence and I agree to comply with it when I give any oral evidence.
17. The scope of my evidence relates to definitions and definitions nesting tables. I confirm that the issues addressed in this statement of evidence are within my area of expertise as an expert policy planner.

18. Any data, information, facts, and assumptions I have considered in forming my opinions are set out in the part of the evidence in which I express my opinions. Where I have set out opinions in my evidence, I have given reasons for those opinions.
19. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed.

1.3 Supporting Evidence

20. Given the matters addressed in this report and the recommendations I make, I have not relied on expert evidence, literature, legal cases or other material.

1.4 Key Issues in Contention

21. A number of submissions and further submissions were received on the definitions nesting table and definitions. The submissions received sought a range of outcomes, including for example the deletion of some definitions, the incorporation of new definitions into the PDP, and amendments to a number of definitions and definitions nesting tables.
22. The purpose of definitions and definitions nesting tables is to aide interpretation of PDP provisions and help ensure the efficient and effective administration of the PDP. Consequently, I consider that the key issue in contention is whether the changes being sought make the PDP more user friendly, provide a clearer understanding of the provisions for plan users and clearer direction to decision makers.
23. I address this key issue in this report in relation to the changes sought by submissions.

1.5 Procedural Matters

24. At the time of writing this report there have not been any pre-hearing conferences, clause 8AA meetings or expert witness conferencing in relation to submissions on this topic.

2 Statutory Considerations

2.1 Resource Management Act 1991

25. The PDP has been prepared in accordance with the RMA and in particular, the requirements of:

- section 74 Matters to be considered by territorial authority, and
- section 75 Contents of district plans,

26. As set out in Section 32 Evaluation Report Part 1 - Overview to s32 Evaluation, there are a number of higher order planning documents and strategic plans that provide direction and guidance for the preparation and content of the PDP.

2.2 Section 32AA

27. I have undertaken an evaluation of the recommended amendments to provisions since the initial section 32 evaluation was undertaken in accordance with s32AA . Section 32AA states:

32AA Requirements for undertaking and publishing further evaluations

(1) A further evaluation required under this Act—

(a) is required only for any changes that have been made to, or are proposed for, the proposal since the evaluation report for the proposal was completed (the changes); and

(b) must be undertaken in accordance with section 32(1) to (4); and

(c) must, despite paragraph (b) and section 32(1)(c), be undertaken at a level of detail that corresponds to the scale and significance of the changes; and

(d) must—

(i) be published in an evaluation report that is made available for public inspection at the same time as the approved proposal (in the case of a national policy statement or a New Zealand coastal policy statement or a national planning standard), or the decision on the proposal, is notified; or

(ii) be referred to in the decision-making record in sufficient detail to demonstrate that the further evaluation was undertaken in accordance with this section.

(2) To avoid doubt, an evaluation report does not have to be prepared if a further evaluation is undertaken in accordance with subsection (1)(d)(ii).

28. The required section 32AA evaluation for changes proposed as a result of consideration of submissions with respect to the definitions nesting table and the definitions is contained within the assessment of the relief sought in submissions in section 3 of this report as required by s32AA(1)(d)(ii), while noting that my recommended amendments are generally restricted to improvements to clarity.

2.3 Trade Competition

29. Trade competition is not considered relevant to the definitions nesting table and definitions of the PDP.
30. There are no known trade competition issues raised within the submissions.

3 Consideration of Submissions and Further Submissions

3.1 Overview

31. There were 197¹ submissions and 27² further submissions received on the definitions nesting table and definitions. The majority of these supported the definitions nesting table and definitions as notified. Where changes have been sought by submissions, they seek:

- General commentary on definitions as a whole.
- Introduction of new definitions for activities where the submitter considers they are otherwise missing.
- Deletion of definitions where the submitters considers that reliance can be placed on the plain and common meaning of terms.
- Deletion of definitions for activities not otherwise addressed in the plan provisions.
- Amendments to activities listed in the definitions nesting tables
- Amendments to definitions where submitters seek improved clarity and/or scope of the activity being defined.

3.1.1 Report Structure

32. Submissions on definitions nesting tables and definitions raised have been grouped into sub-topics within this report. I have considered substantive commentary on primary submissions contained in further submissions as part of my consideration of the primary submission(s) to which they relate.

33. In accordance with Clause 10(3) of the First Schedule of the RMA, I have undertaken the following evaluation on a provisions-based approach, as opposed to a submission by submission approach. I have organised the evaluation in accordance with the sub-topics I identify in paragraph 31 above.

34. Due to the number of submission points, this evaluation is generic only and may not contain specific recommendations on each submission point, but instead discusses the issues generally. This approach is consistent with Clause 10(2)(a) of Schedule 1 to the RMA. Specific recommendations on each submission / further submission point are contained in Appendix B.

35. The following evaluation should be read in conjunction with the summaries of submissions and the submissions themselves. Where I agree with the relief sought and the rationale for that relief, I have noted my agreement, and my recommendation is provided in the summary of submission table in Appendix B. Where I have undertaken further evaluation of the relief sought in a submission(s), the evaluation and recommendations are set out in the body of this report. I have

¹ This is only in relation to the definitions nesting tables and those definitions addressed in this report. As such this number does not include submissions received in relation to definitions to be addressed in later hearing streams.

² See above.

provided a marked-up version of the Chapter with recommended amendments in response to submissions as Appendix A.

36. This report only addresses definitions that relate to more than one topic. Definitions to be considered in later hearing streams are shown in grey in the marked up version of the Chapter in Appendix A.

3.1.2 Format for Consideration of Submissions

37. For each identified topic, I have considered the submissions that are seeking changes to the PDP in the following format:

- Matters raised by submitters;
- Assessment;
- Summary of recommendations; and
- S32AA evaluation (where amendments are recommended)

38. The recommended amendments to the Nesting table and Definitions are set out in in Appendix A of this report where all text changes are shown in a consolidated manner.

39. For the reasons set out in paragraph 28 above, I have undertaken a s32AA evaluation in my assessment.

3.2 General Submissions

3.2.1.1 Matters raised by submitters

40. Kāinga Ora [81.929] state that amendments are required to a number of proposed additional definitions introduced in the PDP and to definitions that state they are utilised from the National Planning Standards where additional terms have been drafted into the wording of the definition in the PDP.
41. Waka Kotahi [82.295] state that amendments are required to ensure it can carry out its statutory obligations, reduce interpretation and processing complications for decision makers and provide clarity for all plan users. They accordingly seek amendments to the definitions chapter to provide greater clarity to Plan users and also support the use of National Planning Standards definitions.
42. Forest and Bird [225.52] note that many of the definitions are tagged with the acronym 'NPS' and they assume this is a reference to the National Planning Standards which include definitions that must be used in the plan. Their submission further notes that the Abbreviation section of the PDP states that 'NPS' means a National Policy Statement. Their submission seeks the use of different acronyms to distinguish between the National Planning Standards and a National Policy Statement; for example, "NPStds" for the National Planning Standards.
43. Fulton Hogan [262.1] generally supports the use of National Planning Standards definitions for key definitions of relevance to their operations and activities.

3.2.1.2 Assessment

44. The Kāinga Ora and Waka Kotahi submissions include individual submission points for each definition where they are seeking amendments to, or deletion of, that proposed definition. This report and subsequent topic-based reports will assess and make recommendations against each of these individual definitions where deletion or amendments are sought. As such I recommend that these submission points are accepted in part. This is insofar as they identify that assessment and recommendations against each individual definition where the submitter seeks their deletion or amendment will be undertaken later in this report and in subsequent topic-based reports.
45. Like Kāinga Ora and Waka Kotahi, the Fulton Hogan submission includes individual submission points for each definition they are supporting. This report and subsequent topic-based reports will assess and make recommendations against each of these individual definitions where deletion or amendments are sought by others. As such I recommend that this submission point is accepted in part. This is insofar as it identifies that assessment and recommendations against each individual definition will be undertaken later in this report and in subsequent topic-based reports.
46. Where proposed definitions are derived from the National Planning Standards, they are identified by "NPS definition" to denote this in the PDP. However, I note that the "NPS" hyperlink in the definition box states, "National Policy Statement". This is clearly incorrect and needs to reference the National Planning Standards.

3.2.1.3 Summary of recommendations

47. I recommend for the reasons given in the assessment, that the Hearings Panel:
 - a. **Amend** reference from "National Policy Statement" to "National Planning Standards" as set out in section Appendix A;
48. I recommend that the submissions from Kāinga Ora [81.929], Fulton Hogan [262.1], Waka Kotahi [82.295] and Forest and Bird [225.52] be **accepted in part**.
49. I have not undertaken an evaluation of my recommended change under section 32AA of the RMA since the amendment rectifies an incorrect reference.

3.3 Submissions seeking new definitions

3.3.1.1 Definitions:

- Relocation
- Removal
- Re-siting

3.3.1.2 Matters raised by submitters

50. The House Movers Association [167.1] seek the inclusion of new definitions, being "relocation", "removal" and "re-siting".
51. Their relief includes the following definitions for these activities:
 - **Relocation**

Includes any building that is removed from one site and relocated to another site, in whole or in parts. It excludes any new building which is designed for, or intended to be used on, a site but which is constructed or prefabricated off-site, in whole or in parts, and transported to the site.

- **Removal**

Means the shifting of a building off a site and excludes demolition of a building.

- **Re-siting**

Means shifting a building within a site.

52. They wish to ensure that regulatory controls through district plans properly reflect the purpose and intentions of the RMA as expressed in the decision of the Environment Court in *New Zealand Heavy Haulage Association Inc v The Central Otago District Council* (Environment Court, C45/2004, Thompson EJ presiding). Their submission states that the Environment Court held that there was no real difference in effect and amenity value terms between the in-situ construction of a new dwelling and relocation of a second-hand dwelling, subject to appropriate permitted activity performance standards.
53. Their submission notes that there are several aspects to the shifting of buildings including relocation (onto a site), removal (off a site), and re-siting (within same site). Their proposed definitions seek to ensure certainty for plan users who are seeking to relocate, remove or re-site dwellings, and to avoid the unintended application of any default rule to the above activities.
54. A further submission has been received in support of this submission from Heritage NZ³. They are not opposed to the intent of the House Movers Association's submission; however, they consider it is important to understand how these proposed definitions would interact with the heritage provisions. They note that there are policies and rules in the Historic Heritage chapter which refer to relocation and repositioning (which is equivalent to re-siting). They would only want the new definitions adopted if there is a good fit with heritage provisions.

3.3.1.3 Assessment

55. In my opinion, the proposed definition of "construction activities" provides for the activities identified by the House Movers Association. The definition includes the relocation of buildings, and the removal and re-siting of buildings. As such it provides the certainty for plan users sought by the submitter. In addition, I would also note that in terms of the zone-based provisions, there is no difference between new buildings and buildings relocated to a site in terms of rules or standards that apply to construction activities and residential units.
56. In relation to the point raised by Heritage NZ, I do not see any tension between the notified definition of construction activities and the provisions in the Historic Heritage chapter relating to relocation and repositioning of historic heritage items. I also note that Heritage NZ has not submitted on this definition.

³ FS14.4

3.3.1.4 Summary of recommendations

57. I recommend for the reasons given in the assessment, that the submission from the House Movers Association [167.1] be **accepted in part**.
58. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.4 Submissions seeking deletion of proposed definitions

3.4.1 Definitions

- Addition
- Alteration
- Boundary
- Overlay
- Setback

3.4.1.1 Matters raised by submitters

59. Two submitters seek the entire deletion of these definitions:
 - Addition
 - Alteration
 - Boundary
 - Overlay
 - Setback
60. The submission from Kāinga Ora [81.27, 81.30, 81.39, 81.121, 81.152] consider that there is a plain and common meaning for most of the activities described in the definitions, and as such are not necessary. In the case of “addition”, the Kāinga Ora submission also notes that there may be instances where an addition is undertaken without increasing the gross floor area of the building. It also considers that where rules relate only to increasing the floor area of the building, this should be included in the wording of the relevant rule.
61. In relation to “overlay” Kāinga Ora consider this should be replaced with instructions on how to use the PDP being included in the ‘how the plan works’ section under Part 1.
62. GWRC oppose the Kāinga Ora submission to delete the definition of “addition”⁴. They note that the term is used in Natural Hazards provisions and that the definition specifically relates to an increase in floor area, which is relevant to natural hazards. They consider that any other

⁴ FS40.49

additions which may be included in the common meaning of the word are not relevant and so need to be excluded from the concept of 'addition'.

63. Heritage NZ support the Kāinga Ora submission to delete the definition of "alteration"⁵. They comment that alteration is an important concept for heritage provisions and that the PDP includes a definition of 'Heritage Alteration'. As such they consider that with regard to heritage matters, a definition of 'alteration' is not necessary.
64. Heritage NZ opposes the Kāinga Ora submission to delete the definition of "overlay"⁶. They comment that the term 'overlay' is used throughout the plan, for example INF-P8 and INF-R4. They note that if the definition were to be deleted, each reference to overlay would need to refer in full to all the spatially identified sites and areas.
65. Forest and Bird [225.66] are concerned that it is not clear what the overlays in the plan are or where the provisions relating to overlays can be found. They consider that as overlays are intended to be matters which are spatially defined, it is appropriate for the definition to refer to them as shown on the Planning Maps. As such references to the overlay provisions should be clear in terms of the Chapters which address the relevant overlay. The submitter also states that the National Planning Standards require that If overlays are used, their provisions must be located in the relevant District-wide matters chapters and sections.
66. Forest and Bird [225.72] also seek to amend the proposed definition for "setback" as they consider it lacks certainty and appears limited to building boundaries and roads, rather than natural features. The submission also notes that the term "setback" is commonly used more broadly, for example the National Environmental Standards for Freshwater 2020 include setbacks from wetlands. The submission considers that there is a need to avoid conflict with how the term may be used in other plans or in respect of amendments sought elsewhere in this submission. They contend the definition should be narrowed to the specific use relating to buildings, boundaries and setbacks from infrastructure or broadened to capture wider usage.

3.4.1.2 Assessment

67. **Addition, Alteration, and Boundary:** I consider that for these, the definitions provide greater certainty for plan users in interpreting when rules and standards apply. I also note that where not linked to a rule or standard, or where the common and plain meaning of the word is intended, the PDP does not hyperlink these to their respective definitions.
68. It is also my opinion that the plain and common meaning of these words is derived from the context in which they are being used and as such will have multiple "plain and common meanings" depending on this context. For example, in APP14 - Designation Conditions for NZTA-03 and NZTA-04 to the PDP, the term "alteration" is used in relation to alterations to the designation rather than physical works to buildings and structures as provided for in the definition. In this case the plain and common meaning of "alteration" is different from where used to describe physical building works which are the subject of rules and standards of the proposed plan. Hence in APP14, "alteration" is not linked to the definition, thereby clearly signalling to plan users a different interpretation of the relevant provisions.

⁵ FS14.5

⁶ FS14.10

69. Similarly, "Addition" in SCHED12 - Building Standards for Indoor Noise Reduction to the PDP is used to describe the cumulative requirements of noise reduction standards rather than physical works to buildings and structures.
70. The approach adopted by the PDP to definitions is intended to recognise the context within which a word is being used. As such it intentionally separates out when a term is used to describe activities or features that are the subject of rules and standards, from when it is subject to a plain and common meaning or has a different meaning due to context. This is intended to aide interpretation of plan provisions and in particular assist plan users as to when specific provisions apply to an activity and to describe the activity that is subject to these plan provisions.
71. **Overlay:** I consider the definition provides greater certainty for plan users in interpreting and identifying plan provisions where they relate to the value or risk which is to be managed in a way different from underlying zone provisions. The approach of including a definition and a hyperlink to that definition from a policy, rule or standard is intended to make use of the e-plan format for the PDP and respond to the need to make district plans easier to use. It also removes a level of uncertainty in understanding when and how plan provisions apply to these spatially defined areas compared to only addressing them in the 'how the plan works' section. It should be noted that the 'how the plan works' section already references overlays.
72. I also agree with the concerns raised by Heritage NZ in their further submission, that removal of the definition would require provisions to refer in full to all the spatially identified sites and areas. In my opinion this would not streamline the PDP provisions or make them more easily understood or efficient to administer.
73. In my opinion I consider that the PDP makes it clear what overlays are and where they apply. They are identified as a spatial method in the 'how the plan works' section and the notified definition clearly identifies where they apply without needing to set out each schedule as sought by Forest and Bird. I also do not consider it appropriate to reference in the definition the chapters where provisions managing them are to be found. In my view the changes sought by Forest and Bird are unnecessary and result in a more cumbersome wording.
74. **Setback:** I consider the definition provides greater certainty for plan users in interpreting when and how rules and standards apply. The definition also makes it clear that rules and standards will provide details of the feature from which the setback is required, when not related to the distance between a structure or activity and the boundary of its site. In my opinion this addresses the concerns raised by Forest and Bird. In addition, I also note that the National Environmental Standards for Freshwater 2020 contains its own definition of "setback" as applied to wetlands. This definition will be used to manage activities under this planning instrument.

3.4.1.3 Summary of recommendations

75. I recommend for the reasons given in the assessment, that the submissions from Forest and Bird [225.72, 225.66], be **accepted in part** and that the submissions from Kāinga Ora [81.27, 81.30, 81.39, 81.121, 81.152], be **rejected**.
76. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5 Submissions seeking amendment to the Definitions Nesting Table

3.5.1 Nesting Tables:

- Commercial Table
- Large Format Retail Activity
- Residential
- Temporary

3.5.1.1 Matters raised by submitters

77. Submissions have been received seeking changes to the location of identified land use activities in the above listed definitions nesting tables. For the purposes of this report, I will identify the relevant nesting table and associated changes being sought to each.
78. **Commercial:** Bunnings Limited [9.3] seek the relocation of Trade Supplier from its own listing within this table to a grouping of activities listed under retail activities. The submitter considers that the operational nature of their activities is such that they are 'retail activities' under this broad term. They also consider that this level of specificity, and for the avoidance of doubt, should include 'trade suppliers' as a type of retail activity listed in this nested term.
79. Foodstuffs [122.3] also seek the relocation of larger format retail activities or supermarkets to the retail activities group. The submission supports the approach of listing the range of activities that are considered to be 'retail activities' under the proposed broad term. They also consider that this level of specificity, and for the avoidance of doubt, should include 'supermarkets' as a type of retail activities listed in this nested term.
80. **Large Format Retail Activity:** Foodstuffs [122.2] seek the removal of supermarkets from this nesting table and under submission point 122.3, seek its relocation to the retail activities nested term. Their submission notes that supermarkets are individual retail outlets and have a range of store formats and sizes which are not all 'large format'. This includes store formats referred to as "full service", "discount", "superette" and "metro" stores, the latter of which are relatively smaller stores.
81. **Residential:** Both the Dept of Corrections [135.1] and Oranga Tamariki [143.2] note that supported residential care activity has not been listed in the definitions nesting tables and seek that it be listed in the Residential nesting table. They consider that supported residential care activity should be included within the residential nest to reflect its residential character and function, and to give clarity.
82. **Temporary:** The NZDF seeks that temporary military training activities is not listed as a sub-group to temporary activities [124.1].
83. The submitter notes that the PDP includes a hierarchy of a number of similar or grouped definitions and that temporary military training activities are listed beneath the temporary activity definition. They consider that this means it forms a subset of temporary activities and that this is inappropriate. They consider that temporary military training activities are distinct from other types of temporary activities and note that they are subject to their own specific policies and rules in the plan. The submitter is concerned that nesting this definition implies that the provisions relating to temporary activities would apply in addition to the temporary

military training activities specific provisions. They further comment that rules for temporary activities specifically note that they do not apply to temporary military training activities.

84. The submitter's submission point 124.1 and 124.2, also seek that the term "temporary activity" contained in the definition for temporary military training activities should not be hyperlinked to the temporary activity definition. They consider that this is not appropriate as temporary activities and temporary military training activities are two distinct and separate activities.

3.5.1.2 Assessment

85. **Commercial including Large Format Retailing Activity:** In my opinion the standalone listing of Trade Suppliers under the Commercial table is appropriate. It recognises that the characteristics of Trade Suppliers in terms of the service they provide to people and communities, together with their operational and functional requirements, as well as their site requirements, are different from retail activities. Their relocation to the Retail activities nesting table would send an inappropriate signal that the policy direction and associated rules adopted by the PDP for retail activities apply equally to Trade Suppliers when this is not the case. For example, Trade Supplier is a permitted activity in the Large Format Retail Zone, but a discretionary activity in the City Centre Zone. Table 3 identifies the relevant land use activity status for trade supply in the commercial zones, Mixed Use Zone and General Industrial Zone.

Table 3: Trade supply and retail activity status⁷

Zone	Trade Suppliers	Retail activity
City Centre	DIS	PER
Large Format Retail	PER	RDIS
Mixed Use	RDIS	PER
Local Centre	NC	PER
Neighbourhood Centre	NC	PER
General Industrial	PER	NC ⁸

Note to Table 3: PER = permitted, RDIS – restricted discretionary, DIS = discretionary, NC = non-complying

86. The section 32 evaluation report for commercial zones and Mixed Use Zones provides the following explanation summary for the policy direction for trade suppliers⁹.
- Trade suppliers are permitted in the LFRZ which reflects the big box and vehicle-oriented character of the zone.
 - They are restricted discretionary in the MUZ but with a size cap applying to enable the assessment of effects of trade suppliers over and above a certain size.
 - Trade suppliers are fully discretionary in the CCZ which reflects the more pedestrian oriented character and the stronger reliance on active street frontages in these zones.
 - They are non-complying in the LCZ and NCZ because, due to their size and character, they are inconsistent with the role and purpose of these zones and would undermine their character and amenity.

⁷ Submission 9.7 seeks that trade supplier is a discretionary activity in the LCZ rather than non-complying

⁸ Where not ancillary to an industrial activity on the same site

⁹ Appendix two, Section 32 Evaluation Report Part 2 – Commercial Zones and Mixed Use Zone

- Consistent with strategic objectives.
87. I do not consider that the relief sought would make the PDP more user friendly or assist in plan administration. It would not implement the objectives of the PDP particularly in relation to the distribution of land use activities.
88. I also consider that supermarkets are generally a form of large format retail and so are appropriately listed in the large format retail activity table. In terms of the management regime for retail activities, supermarkets and large format retail activities, where the rule framework seeks to distinguish between them, specific reference is made to the relevant activity definition. This approach recognises the differences in terms of the service these activities provide to people and communities, their operational and functional requirements, and their site requirements. For example, LCZ-R12 provides for supermarkets as a restricted discretionary activity while large format retail activities are discretionary, to reflect the policy direction and purpose for that zone¹⁰.
89. **Residential:** I agree with the Department of Corrections and Oranga Tamariki that supported residential care activity needs to be included in the definitions nesting tables and that the most appropriate location for them is the Residential table. In my opinion this would recognise the role of supported residential care activities in meeting housing needs.
90. **Temporary:** I agree with the submission from NZDF that temporary military training activity should not be listed as a sub-grouping to temporary activity. While both are temporary in nature, the proposed plan anticipates separate resource management regimes for each and adopts a different policy approach between the two. As such it is more appropriate to decouple temporary military training activity from temporary activity.
91. For similar reasons, I also agree with the submission from NZDF that the term, “temporary activity” should not be hyperlinked to its plan definition. It creates uncertainty within the definition, and in this instance, the plain and common meaning is appropriate. I consider that the change would aid plan interpretation and plan administration by removing an internal inconsistency within the definition of temporary military training activity.

3.5.1.3 Summary of recommendations

92. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the Residential Nesting Table to include supported residential care activity as set out in Appendix A;
 - b. **Amend** the Temporary Nesting Table to list temporary activity and temporary military training activity separately as set out in Appendix A;
 - c. **Amend** the definition of temporary military training activity to remove the link between the term “temporary activity” and the associated plan definition as set out in Appendix A.

¹⁰ A number of submissions, including 120.7, 122.39 and 122.13, seek more permissive activity status for supermarkets and large format retailing variously in the commercial zones and Mixed Use Zone.

93. I recommend that the submissions from NZDF [124.1], the Dept of Corrections [135.1] and Oranga Tamariki [143.2], be **accepted**.
94. I recommend that the submissions from Bunnings Limited [9.3] and Foodstuffs [122.2 and 122.3], be **rejected**.
95. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.5.1.4 S32AA evaluation

96. In my opinion, the amendments to the definitions nesting tables are more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:
- They will better define and support the provisions for temporary military training activities and supported residential care than the notified definitions nesting tables and definition. Consequently, they better aide interpretation of PDP provisions and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.6 Submissions seeking amendment to Definitions

3.6.1 Definition: Building

3.6.1.1 Matters raised by submitters

97. Two submissions identify the following issues with the proposed definition:
- Power poles, support structures and mast poles have the potential to be inappropriately captured by the definition.
 - The current definition is broad and could allow inappropriate non-residential structures to be erected in residential areas
98. WE [85.1] are concerned that their structures, such as power poles, support structures and mast poles, while not buildings, nonetheless are potentially captured by the definition. They consider that a distinction or reference to the Building Act should be provided for clarity and efficiency.
99. Peter Wakefield [154.2] is primarily concerned with the proposed 40% building coverage standard in the General Residential Zone and notes that this is an increase from 35% in the Operative District Plan¹¹. The submitter considers that the proposed increase in building coverage to 40% and the broad definition of "building" would allow "inappropriate non-residential structure" to be constructed without seeking approvals from neighbours. He seeks that the definition of building is amended, but no alternative wording has been provided. I would note, here, that the submitter [154.1] seeks as an alternative to amending the definition,

¹¹ Suburban Zone

a reduction in building coverage standard for the GRZ to 35%. This submission will be addressed in hearing stream 7.

3.6.1.2 Assessment

100. The Council is not able to amend a National Planning Standard definition. If the submitters seek specific treatment of listed structures, this should be by way of a rule in the relevant section of the PDP.
101. However, in my opinion power poles, support structures and mast poles intended for the distribution of electricity falls within the PDP's definition of infrastructure rather than building, as set out below:

“facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person—

- *uses them in connection with the generation of electricity for the person's use;*
- and*
- *does not use them to generate any electricity for supply to any other person;”*

102. The infrastructure definition in the PDP relies on the definition contained in section 2 of the RMA. I also note that the submitter's assets and network are primarily managed through the Infrastructure chapter of the PDP which is intended to act as a standalone management regime for the use, maintenance, repair and upgrade of infrastructure, as well as new infrastructure structures.
103. Submission point 154.1, which seeks a reduction in building coverage standard for the GRZ to 35%, will be addressed in hearing stream 7.

3.6.1.3 Summary of recommendations

104. I recommend for the reasons given in the assessment, that the submissions from WE [85.1] and Peter Wakefield [154.2], be **rejected**

3.6.2 Definition: Childcare services

3.6.2.1 Matters raised by submitters

105. Two submissions received which identify the following issues with the proposed definition:
- The wording of the definition needs amending to improve its clarity
 - The list needs to include Puna Reo
106. Kāinga Ora [81.42] seek amendments to the definition to improve its clarity, these being:
- a. Amending the opening part of the definition to include additional wording:

“means the care and / or education of children and includes.....”
 - b. Adding, “, but is not limited to” before the list of childcare services to make it clear that it is not intended as an exclusive list.
107. TROTR [264.83] seeks the addition of Puna Reo to the list of childcare services included in the definition. The submission identifies that there are definitions that could be further enhanced

to better reflect tangata whenua, including this one. Puna Reo is an early learning centre where the curriculum is delivered in and through te reo Māori over 51% of the time¹².

3.6.2.2 Assessment

108. In my opinion the addition of “and/or” to replace “or” improves the clarity and accuracy of the definition. It makes it clear that services that care and educate children are included as well as those that either care for children or educate children. This amended wording would better aide in the interpretation of the PDP than the notified version.
109. However, I do not consider that the submitter’s other proposed amendment is necessary. The use of “includes” in the definition already identifies that the listed examples of childcare services is not exclusive. The addition of, “.....but is not limited to”, in my opinion would be a superfluous addition to the definition.
110. I agree with TROTR that it is appropriate to include Puna Reo to the definition for the reasons identified by the submitter.

3.6.2.3 Summary of recommendations

111. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of Childcare services as set out in Appendix A.
112. I recommend that the submission from TROTR [264.83], be **accepted**.
113. I recommend that the submission from Kāinga Ora [81.42], be **accepted in part**.

3.6.2.4 S32AA evaluation

114. In my opinion, the amendments to the definition of childcare services is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:
- They will add clarity to the definition and better define the activity than the notified definition. Consequently, they better aide interpretation of PDP provisions and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
 - The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.6.3 Definition: Community Corrections Activity

3.6.3.1 Matters raised by submitters

115. TROTR [264.83] seeks the addition of Marae to the sites included in the definition. The submission identifies that there are definitions that could be further enhanced to better reflect tangata whenua, including this one. This would be achieved by making the following amendment:

¹² Ministry of Education, Te Rāngai Kāhui Ako ā-Iwi

“means the use of land and buildings, including Marae for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.”

3.6.3.2 Assessment

116. The Council is not able to amend a National Planning Standard definition. I also consider that the notified definition does not exclude the use of a Marae as a community corrections activity.

3.6.3.3 Summary of recommendations

117. I recommend for the reasons given in the assessment, that the submission from TROTR [264.83], be rejected.

3.6.4 Definition: Construction activity

3.6.4.1 Matters raised by submitters

118. Forest and Bird [225.59] consider it confusing that construction activities associated with infrastructure are excluded. They note that Infrastructure activities are addressed in many chapters and not just the INF chapter and using a variety of terms, many of which are identified under “infrastructure” in Interpretation for Definitions Nesting Tables. It is not clear whether “construction activities” is intended to be excluded from applying to all of these terms as well.

119. The submission also notes that many of the provisions in the district wide chapters refer to new buildings or structures. They also consider that while the ‘note’ for the chapter rules state that a number of provisions apply to an activity, building, structure or site, it is not clear whether an activity captured within the definition of “construction activity” would be subject to a rule which applies to a building or structure or vice versa. They are concerned that effects on indigenous biodiversity including on SNAs would not be considered or appropriately addressed.

120. The submission also considers that the use of different terminology in the rules is confusing, for example GIZ-R1 is for Buildings and Structures, including Additions and Alteration, whereas GIZ-R2 is for Construction Activities. The submitters consider that according to the definition both rules apply to the same things.

121. The submitter seeks that references to construction activity are replaced with the specific activities intended to be captured.

122. Submissions have been received seeking retention of the definition as notified as identified in Table B1 in Appendix B.

3.6.4.2 Assessment

123. I consider that the submission from Forest and Bird raises three key matters:

- a. The exclusion of building works associated with infrastructure from the definition, and how effects associated with these works are managed, particularly in relation to indigenous biodiversity.
- b. What is the difference between “construction activity” and “building”?
- c. Which rules apply to activities that are captured by differing definitions.

124. In relation to the exclusion of building works associated with infrastructure from the definition, it is important to understand the scheme of the Infrastructure chapter. As is explained in the "how the plan works" chapter, unlike other chapters in the PDP, this operates as an essentially standalone set of plan provisions for the management of the use, maintenance, and upgrade of infrastructure as well as the provision of new infrastructure. Building works associated with infrastructure are encompassed within this framework and are captured variously in the definitions for "maintenance and repair" and "upgrading", which are specific to infrastructure, and in the standards that apply to infrastructure. These activities are then subject to rules and standards in the Infrastructure Chapter, for example, INF-R39 which manages the upgrading of infrastructure within a SNA identified in Schedule 7 to the PDP.
125. I do not consider it appropriate or good planning to duplicate the above infrastructure related activities within the construction activity definition. Nor do I consider it necessary to delete the definition and replace it with specific provisions for the activities captured in the definition. In my opinion, the retention of the definition is appropriate to ensure effective and efficient plan administration. I also note that where the rule framework seeks to distinguish between differing elements of construction activity and apply a different management regime, specific reference is made to the relevant activity definition, for example "alteration" and "addition".
126. The submitter also finds the use of various terms such as "construction activity", "building", "additions" and "alterations" confusing.
127. I note that the definition for construction activity covers the actions involved in the construction of buildings and structures, such as their erection, alteration, relocation, and demolition. In contrast the definition of "building" and "structure" are for the building or structure themselves and not the act of physically building, altering, or demolishing them.
128. As identified above, where the rule framework seeks to distinguish between differing elements of construction activity and apply a different management regime, specific reference is made to the relevant activity definition, for example alteration and addition. This practise is common throughout the PDP and in other 2nd generation district plans. For example, in the PDP, supermarket and large format retailing activities in the Local Centre Zone are managed by separate rules, as are home business and commercial activity in the residential zones. The specificity of the definition determines which rule applies to a particular activity. I would also note that this issue arises as a result of the National Planning Standards which, for many activities, do not include the buildings or structures associated with them; for example, commercial activity, industrial activity and retirement villages.

3.6.4.3 Summary of recommendations

129. I recommend for the reasons given in the assessment, that the submission from Forest and Bird [225.59], be **rejected**.
130. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.5 Definition: Development Area

3.6.5.1 Matters raised by submitters

131. Forest and Bird [225.60] seek that this definition is retained as notified, but also:

"Make changes to provisions to ensure that provision for development within an Development Area is within environmental limits which ensures the protection and maintenance of indigenous biodiversity."

132. The submitter supports a structure planning process and rezoning to establish a Development Area prior to development. However, they have concerns with the inclusion of directive provisions for development within such areas where environmental limits are not recognised.

3.6.5.2 Assessment

133. Issues arising from submissions in relation to Structure Plans, structure planning and the rezoning of sites within the Future Urban Zone will be addressed in Hearing Stream 6.

3.6.5.3 Summary of recommendations

134. I recommend for the reasons given in the assessment, that the submission from Forest and Bird [225.60] be **accepted**¹³.

3.6.6 Definition: Large format retail activity

3.6.6.1 Matters raised by submitters

135. One submission received which identify the following issue with the proposed definition:
- The wording of the definition needs amending to improve its clarity and remove ambiguity.
136. Kāinga Ora [81.94] generally supports the proposed definition. However, they consider there is ambiguity in the interpretation of the proposed definition as to whether the 450m² threshold applies to individual retail tenancies, or to a combination of tenancies within a 'store' cumulatively exceeding 450m². They also seek the exclusion of supermarkets from the definition. The submitter considers that the following changes to the definition would remove this ambiguity:

"means any individual retail activity / tenancy with a store or individual tenancy exceeding 450m² gross floor area. It does not include supermarkets."

3.6.6.2 Assessment

137. In my opinion the existing wording is clear, that it is an individual store or tenancy exceeding 450m² that triggers the threshold. Multiple retail tenancies within a single building fall within the Integrated Retail Activity definition.
138. As I also note in paragraph 128 above, where the rule framework seeks to distinguish between supermarkets and other large format retailing activities, and apply a different management regime, specific reference is made to the relevant activity definition. My comments in paragraph 128 are equally applicable in this matter.

¹³ Insofar as they seek retention of the definition as notified.

3.6.6.3 Summary of recommendations

139. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.94], be **rejected**

3.6.7 Definition: Office

3.6.7.1 Matters raised by submitters

140. Kāinga Ora [81.116] seeks to amend the definition to clarify that home business activities and the administration areas for supported residential care activities are excluded.
141. The submitter generally supports the proposed definition but seeks a specific exclusion is provided for “home business” to make it clear that home businesses are generally permitted when associated with a residential activity. They also seek exclusion of office from areas associated with the administration of supported residential care activities, which Kāinga Ora seeks in other submission points to be permitted activities in all urban zones. They have requested the following changes to the definition:

“means an activity conducted within a building and focusing on business, government, professional or financial services and includes the personal service elements of these activities, but excludes home business and administration areas associated with supported residential care activities.”

3.6.7.2 Assessment

142. In my opinion these amendments are not necessary. Office functions that form part of a home business or ancillary on-site office functions associated with supported residential care activities benefit from the associated activity-based definitions and rules. Providing an exemption only for these activities is likely to result in confusion in the interpretation and application of rules. It could imply that office functions ancillary to other activities such as supermarkets and commercial service activities are captured by office activity provisions rather than those associated with supermarkets or commercial service activities.
143. In my opinion the additional wording causes confusion and ambiguity and would not support efficient and effective plan administration.

3.6.7.3 Summary of recommendations

144. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.116], be **rejected**.

3.6.8 Definition: Reverse sensitivity

3.6.8.1 Matters raised by submitters

145. Waka Kotahi [82.22] considers that the definition of “Reverse Sensitivity” should be replaced with the RMA definition to ensure consistency with the RMA. RNZ [121.11] raise concern that the existing definition does not fully describe what reverse sensitivity is. The submitter considers that the focus appears to be on the degree of vulnerability or sensitivity rather than the actual effect(s). However, they seek that a definition of reverse sensitivity be retained.
146. All other submissions received on this definition are in support of the notified version and seek its retention as notified.

3.6.8.2 Assessment

147. I consider that the notified definition achieves the same as the RMA definition but is more concise and user friendly. It also clearly identifies the effect of reverse sensitivity as being the potential for the operation of an existing activity to be constrained by other activities establishing in the vicinity which are sensitive to adverse environmental effects from the established activity. As such, I consider that the notified version already addresses the concerns raised by Radio New Zealand Limited in their submission.
148. I do not consider that amending the definition to that in the RMA would better aide plan interpretation or plan administration.

3.6.8.3 Summary of recommendations

149. I recommend for the reasons given in the assessment, that the submission from Radio New Zealand Limited [121.11] be **accepted in part**, and that the submission from Waka Kotahi [82.22] be **rejected**.
150. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.9 Definition: Supermarket**3.6.9.1 Matters raised by submitters**

151. Two submissions received which identify the following issues with the proposed definition:
- Definition is insufficiently comprehensive
 - Definition is unnecessarily strict and does not provide for the changing nature and range of services provided by supermarkets
152. Foodstuffs [122.4] generally supports the provision of a 'supermarket' definition under the PDP. However, the submitter considers the 'supermarket' definition to be insufficiently comprehensive and seeks its amendment. Their preferred definition is:

"An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of:

a. domestic supplies, fresh food and groceries, such as:

- *fresh meat and produce;*
- *chilled, frozen, packaged, canned and bottled foodstuffs and beverages;*
- *general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and ciqarettes, maqazine and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and*

b. non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to):

- *barbecue and heating fuels;*
- *audio visual products;*

- electrical appliances;
- clothing and footwear;
- furniture; and
- office supplies.”

153. Woolworths [120.2] supports the inclusion of a specific definition providing for supermarkets but considers the definition to be unnecessarily strict and does not provide for the changing nature and range of services provided by supermarkets. They also consider that the definition should also specifically include 'pharmacy related activities' and comment that a number of Countdown supermarkets have in-store pharmacies. The submitter is concerned that by not including these activities would potentially mean that any supermarket that did include pharmacy activities would not meet the definition of supermarket.
154. The submitter notes that the PDP definition requires that foodstuffs comprise more than 90% of the total retail floor space. They refer to the Auckland Unitary Plan which allows supermarkets to include retail stores where foodstuffs comprise more than 80% of the total retail floor space. This allows for the range of activities that Countdown stores typically include, without compromising its primary role of selling foodstuffs. They point out that it is unclear whether total retail floor space would include checkout and associated areas. When these areas are combined with aisles displaying non-food grocery items it would be difficult for a supermarket to be able to comply with the required 90% of total retail floor space threshold. The submitter seeks the following amendment to the definition:
- Require foodstuffs to comprise more than 80 percent of the total retail floor space (not 90 percent as is currently proposed in the wording).
 - Specify that total retail floor space only applies to that area of a store displaying foodstuffs and non-food grocery items.
 - Include pharmacy related activities.

3.6.9.2 Assessment

155. In my opinion it is not necessary to unduly list product types and services in the definition as sought by Foodstuffs. It creates a cumbersome definition with no corresponding gain in clarity, and the use of the word “include” in the PDP definition already signals that the listing is not exclusive. However, I do agree that the definition would benefit from the amendments sought by Woolworths. These better reflect activities encompassed by modern supermarkets and would add clarity to the definition. As such they would aid the interpretation and application of policies and rules, and result in more efficient and effective plan administration.

3.6.9.3 Summary of recommendations

156. I recommend for the reasons given in the assessment, that the Hearings Panel:
- a. **Amend** the definition of supermarket as set out in Appendix A.
157. I recommend that the submission from Woolworths [120.2], be **accepted**.
158. I recommend that the submission from Foodstuffs [122.4], be **accepted in part**.
159. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.9.4 S32AA evaluation

160. In my opinion, the amendments to the definition of supermarket is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will add clarity to the definition and better define the activity than the notified definition. Consequently, they better aide interpretation of PDP provisions and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.6.10 Definition: Supported residential care activity**3.6.10.1 Matters raised by submitters**

161. Kāinga Ora [81.163] seeks to amend the definition to clarify that retirement villages are excluded from the definition of supported residential care activities. The submitter considers this is necessary to recognise that these activities are distinctly different.

3.6.10.2 Assessment

162. In my opinion this cross-referencing between the two activities is not necessary. Retirement village is subject to its own definition and associated zone-based activity rules. This recognises that retirement village activities are different and so are subject to separate provisions in the PDP. I do not consider that the amendment sought will increase clarity of definition or aide the interpretation of PDP provisions.

3.6.10.3 Summary of recommendations

163. I recommend for the reasons given in the assessment, that the submission from Kāinga Ora [81.163], be **rejected**.

164. My recommendations in relation to further submissions reflect the recommendations on the relevant primary submission.

3.6.11 Definition: Tertiary Education Services**3.6.11.1 Matters raised by submitters**

165. Kāinga Ora [81.172] seeks to amend the definition to remove reference to the Education Act 1989 as this Act was repealed on 1 August 2020. They also seek [81.903] such other relief, or consequential or other amendments as considered appropriate and necessary to address the concerns set out in their submission.

3.6.11.2 Assessment

166. I agree with the submitter that the definition needs to remove reference to the now repealed Education Act 1989. However, I consider it appropriate to include reference to the equivalent provisions in the replacement Education and Training Act 2020, to add clarity to the definition. This would aide the interpretation and application of policies and rules, and result in more efficient and effective plan administration. I rely on 81.903 to provide scope to replace reference to the Education Act 1989 with the Education and Training Act 2020.

3.6.11.3 Summary of recommendations

167. I recommend, for the reasons given in the assessment, that the Hearings Panel:

- a. **Amend** the definition of Tertiary Education Services as set out in Appendix A.

168. I recommend that the submissions from Kāinga Ora [81.172][81.903], be **accepted in part**.

3.6.11.4 S32AA evaluation

169. In my opinion, the amendments to the definition of tertiary education services is more appropriate in achieving the objectives of the PDP than the notified provisions. In particular, I consider that:

- They will bring the definition into line with up to date legislative changes. Consequently, they better aide interpretation of PDP provisions and are more efficient and effective than the notified provisions in achieving the objectives of the PDP.
- The recommended amendments will not have any greater environmental, economic, social, and cultural effects than the notified provisions. However, there will be benefits from improved plan interpretation and more efficient plan administration.

3.7 Minor Errors

170. I recommend that an amendment be made to the definition of “allotment” to replace the use of an out of date definition, with the updated definition from s218 RMA. This amendment could have been made after PDP was notified through the RMA process to correct minor errors¹⁴, but I recommend the amendment is made as part of the Hearing Panel’s recommendations for completeness and clarity. The amendment is set out below.

Allotment

has the same meaning as in section 218 of the RMA:

(2) In this Act, the term allotment means—

- a. *any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—*
 - i. *the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or*
 - ii. *a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or*
- b. *any parcel of land or building or part of a building that is shown or identified separately—*
 - i. *on a survey plan; or*
 - ii. *on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or*

¹⁴ Clause 16 of RMA Schedule 1

c. *any unit on a unit plan; or*

d. *any parcel of land not subject to the Land Transfer Act 2017.*

(3) For the purposes of subsection (2), an allotment that is—

(a) subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or

(b) not subject to that Act and was acquired by its owner under 1 instrument of conveyance—

shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.

(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment.

4 Conclusions


171. Submissions have been received in support of, and in opposition to the definitions and definitions nesting tables.
172. Having considered all the submissions and reviewed all relevant statutory and non-statutory documents, I recommend that the PDP should be amended as set out in Appendix A of this report.
173. For the reasons set out in the Section 32AA evaluation included throughout this report, I consider that the proposed definitions and definitions nesting tables, with the recommended amendments, will be the most appropriate means to:
- achieve the purpose of the Resource Management Act 1991 (RMA) where it is necessary to revert to Part 2 and otherwise give effect to higher order planning documents, in respect to the proposed objectives, and
 - achieve the relevant objectives of the PDP, in respect to the proposed provisions.

Recommendations:

I recommend that:

1. The Hearing Commissioners accept, accept in part, or reject submissions (and associated further submissions) as outlined in Appendix B of this report; and
2. The PDP is amended in accordance with the changes recommended in Appendix A of this report.

Signed:

Name and Title		Signature
Report Author	Michael Rachlin	

Appendix A. Recommended Amendments to Definitions and Definitions Nesting Tables

Where I recommend changes in response to submissions, these are shown as follows:

- Text recommended to be added to the PDP is underlined.
- Text recommended to be deleted from the PDP is ~~struckthrough~~.

Definitions Nesting Tables

The defined terms used in the District Plan are set out in full below.

The relationship between some of the defined terms is shown in the bulleted, hierarchical list. For example, a cafe is a food and beverage activity within entertainment and hospitality activity within commercial activity. It is not a retail activity.

Buildings and structures

Structures

- **Buildings**
 - Principal buildings
 - Accessory buildings

Commercial

Commercial activities

- e. **Commercial service activities**
 - i. Banks
 - ii. Real estate agencies
 - iii. Travel agencies
 - iv. Dry cleaners
 - v. Veterinary clinics
 - vi. Funeral director premises
 - vii. Hairdressers
 - viii. Commercial sexual services
 - ix. Professional and financial services
 - x. Commercial indoor fitness centres, gymnasiums and play areas
- **Drive-through activities**
 - Drive-through restaurants
- **Entertainment and hospitality activities**
 - Food and beverage activities
 - Restaurants and cafes
 - Bars and taverns
 - Takeaway food bars
 - Entertainment facilities
 - Cinemas
 - Theatres
 - Concert venues
 - Night clubs
 - Conference centres
 - Private function facilities
 - Visitor accommodation
 - Hotels
 - Motels
 - Bed and breakfast accommodation
 - Backpackers
 - Boarding houses

<ul style="list-style-type: none"> ▪ Hostels ▪ Student accommodation ▪ Camping grounds • Home businesses • Large format retail activities <ul style="list-style-type: none"> ○ Integrated retail activity ○ Supermarkets • Offices • Pet animal boarding and breeding facilities • Retail activities <ul style="list-style-type: none"> ○ Clothing and footwear ○ Homeware ○ Jewellery ○ Antiques, used goods and charity shops ○ Recreational goods and sports stores ○ Electrical goods ○ Dairies ○ Bakeries • Retirement villages • Service stations • Trade suppliers
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Community

Community facilities

<ul style="list-style-type: none"> • Community centres and halls • Libraries • Museums • Places of worship
--

Community garden

Community corrections

Community corrections activity

Conservation

Conservation activity

Customary

Customary activity

Papakāinga

Earthworks

Earthworks

<ul style="list-style-type: none"> • Minor earthworks

Land disturbance

Education

Educational facilities

<ul style="list-style-type: none"> • Childcare services • Primary schools • Secondary schools • Tertiary education services
Emergency
Emergency service facilities
Health
Hospital and healthcare activities
<ul style="list-style-type: none"> • Healthcare activities • Hospitals
Industrial
Industrial activities
<ul style="list-style-type: none"> • Bus depots • Contractor's yards • Firewood processing and sales • Freight depots • Industrial laboratories • Light industrial activities • Manufacturing • Relocatable house construction and storage • Repair and maintenance services • Storage and lock-up facilities • Warehouses • Waste management <ul style="list-style-type: none"> ○ Refuse transfer stations
Infrastructure
Infrastructure
<ul style="list-style-type: none"> • Ancillary transport network infrastructure • Antennas • Connections to roads • Customer connection lines • Electricity generation activities where they supply power to the network • Gas transmission and distributions networks • Regionally Significant Infrastructure • Roads • Substations
Residential
Residential activities
Residential units
Minor residential units

Supported residential care activity¹⁵

Rural

Primary production

- Intensive indoor primary production
- Rural industry
- Quarrying activities

Rural activities other than primary production

- Equestrian
- Stock sale yards

Sports and recreation

Sport and recreation facilities

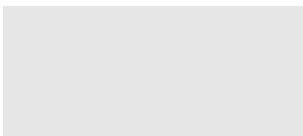
Major sports facilities

Temporary

Temporary activities

Temporary military training activity¹⁶

- ~~Temporary military training activity¹⁷~~



Definitions in grey box are addressed in later hearing streams

Definitions

Abrasive blasting

means the cleaning, smoothing, roughening, cutting or removal of part of the surface of any article by the use, as an abrasive, of a jet of sand, metal, shot or grit or other

NPS definition¹⁸

¹⁵ Dept of Corrections [135.1], Oranga Tamariki [143.2]

¹⁶ NZDF [124.1][remove hyperlink from “temporary activities” within TMTA definition]

¹⁷ NZDF [124.1]

¹⁸ Forest and Bird [225.52][Amend hyperlink from “National Policy Statement” to “National Planning Standards”][applies to **all** definitions identified as a NPS definition]

	material propelled by a blast of compressed air or steam or water or by a wheel.	
Access	means an area of land over which vehicle and/or pedestrian and cycling access is obtained to legal road. It includes: <ul style="list-style-type: none"> • an access area^{13/4} • an access allotment^{13/4} and • a right-of-way 	
Access allotment	means any separate allotment used primarily for access to a lot or lots having no legal frontage but excludes any area of land that is wider than 6m and not legally encumbered to prevent the construction of buildings.	
Access area	means an access allotment or an area of land defined by a legal instrument providing or intended to provide access to a site or sites, but excludes any area of land that is wider than 6m and not legally encumbered to prevent the construction of buildings.	
Access strip	has the same meaning as in section 2 of the RMA: means a strip of land created by the registration of an easement in accordance with section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in Schedule 1 of that Act).	
Accessory building	means a detached building, the use of which is ancillary to the use of any building, buildings or activity that is or could be lawfully established on the same site but does not include any minor residential unit.	NPS definition
Adaptive reuse	means changing the use of a heritage item and/or its heritage setting to a compatible use while retaining its heritage value.	
Addition	means any works undertaken to an existing building which has the effect of increasing the gross floor area of that building.	
Advertising sign	means a sign marketing services, events, products or goods.	
Aerials	means a structure made of rod or wire, dishes or panels that transmits or receives signals as part of an Amateur Radio Configuration.	
Allotment	has the same meaning as in section 218 of the RMA: (2) In this Act, the term allotment means—	NPS definition

- a. any parcel of land under the Land Transfer Act ~~1952~~ 2017¹⁹ that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—
 - i. the subdivision shown on the survey plan has been allowed, or subdivision approval has been granted, under another Act; or
 - ii. a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or
- b. any parcel of land or building or part of a building that is shown or identified separately—
 - i. on a survey plan; or
 - ii. on a licence within the meaning of ~~Part 7A subpart 6 of Part 3~~²⁰ of the Land Transfer Act ~~1952~~ 2017²¹; or
- c. any unit on a unit plan; or
- d. any parcel of land not subject to the Land Transfer Act ~~1952~~ 2017²².

(3) For the purposes of subsection (2), an allotment that is—

- (a) subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or
- (b) not subject to that Act and was acquired by its owner under 1 instrument of conveyance—
shall be deemed to be a continuous area of land notwithstanding that part of it is physically separated from any other part by a road or in any other manner whatsoever, unless the division of the allotment into such parts has been allowed by a subdivision consent granted under this Act or by a subdivisional approval under any former enactment relating to the subdivision of land.

¹⁹ Clause 16 to RMA

²⁰ Ibid

²¹ Ibid

²² Ibid

	<u>(4) For the purposes of subsection (2), the balance of any land from which any allotment is being or has been subdivided is deemed to be an allotment²³.</u>	
Alteration	means any work to existing buildings or structures which involves the change, removal or replacement of walls, windows or features which results in an external appearance different to its existing appearance.	
Amateur radio configuration	means the aerials (including rods, wires and tubes) and associated supporting structures that are used for amateur radio activities.	
Amenity values	has the same meaning as in section 2 of the RMA: means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.	<u>NPS definition</u>
Ancillary activity	means an activity that supports and is subsidiary to a primary activity.	<u>NPS definition</u>
Ancillary transport network infrastructure	means infrastructure located within the road reserve or railway corridor that supports the transport network and includes: <ul style="list-style-type: none"> • traffic control signals and devices; • light poles; • post boxes; • landscaped gardens, artwork and sculptures; • bus stops and shelters; • train stations; • telecommunication kiosks; • public toilets; and • road or rail furniture. 	
Annual average daily traffic movement	means the total yearly traffic movements in both directions divided by the number of days in the year, expressed as vehicles per day.	
Antenna	means a device that receives or transmits radiocommunication or telecommunication signals. It excludes: <ul style="list-style-type: none"> • small cell units; and • devices used in amateur radio configuration. 	

²³ Ibid

Apartments	means any multi-unit housing development that includes upper level units, which do not have a floor at ground level and are typically served by shared vertical access.	
Aquifer	means a permeable geological formation, group of formations, or part of a formation, beneath the ground, capable of receiving, storing, transmitting and yielding water.	<u>NPS definition</u>
Bed	<p>has the same meaning as in section 2 of the RMA: means—</p> <ul style="list-style-type: none"> • in relation to any river— <ul style="list-style-type: none"> ○ for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks: ○ in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and • in relation to any lake, except a lake controlled by artificial means,— <ul style="list-style-type: none"> ○ for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin: ○ in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and • in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and • in relation to the sea, the submarine areas covered by the internal waters and the territorial sea. 	<u>NPS definition</u>
Best practicable option	<p>has the same meaning as in section 2 of the RMA: in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</p> <ul style="list-style-type: none"> • the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and 	<u>NPS definition</u>

	<ul style="list-style-type: none"> • the financial implications, and the effects on the environment, of that option when compared with other options; and • the current state of technical knowledge and the likelihood that the option can be successfully applied. 	
Biodiversity compensation	means a commitment to redress residual adverse impacts and must only be contemplated after the mitigation hierarchy steps in ECO-P1 have been demonstrated to have been sequentially exhausted and only after biodiversity offsetting has been implemented.	
Biodiversity offset	means a measurable positive environmental outcome resulting from actions designed to redress the residual adverse effects on biodiversity arising from activities after appropriate avoidance, minimisation, and remediation measures have been applied. The goal of a biodiversity offset is to achieve no net loss, and preferably a net gain, of indigenous biodiversity values.	
Boating facility	means the use of land and buildings for the purposes of boating including: <ul style="list-style-type: none"> • boating and cruising clubs and accessory buildings; • coastguard rescue facilities; • boat maintenance and repair; • boat ramps, jetties, boat launching and wash-down facilities; and • hard-stands and storage facilities. 	
Bore	means any hole drilled or constructed in the ground that is used to— <ul style="list-style-type: none"> • investigate or monitor conditions below the ground surface; or • abstract gaseous or liquid substances from the ground; or • discharge gaseous or liquid substances into the ground; but it excludes test pits, trenches, soak holes and soakage pits.	NPS definition
Boundary	means the legal perimeter of a site.	
Boundary adjustment	means a subdivision that alters the existing boundaries between adjoining allotments, without altering the number of allotments.	NPS definition
Building	means a temporary or permanent movable or immovable physical construction that is: <ul style="list-style-type: none"> • partially or fully roofed; and • fixed or located on or in land; but excludes any motorised vehicle or other mode of transport that could be moved under its own power.	NPS definition

Building coverage	means the percentage of the net site area covered by the building footprint.	NPS definition
Building footprint	means, in relation to building coverage, the total area of buildings at ground floor level together with the area of any section of any of those buildings that extends out beyond the ground floor level limits of the building and overhangs the ground.	NPS definition
Building platform	means land that is suitable and practical for accommodating a residential unit, or other intended building.	
Cabinet	means a three-dimensional structure that houses radio and telecommunication equipment and electrical equipment associated with the operation of infrastructure, which includes single transformers and associated switching gear distributing electricity at a voltage up to and including 110KV.	
Childcare services	means the care and ²⁴ or education of children and includes: <ul style="list-style-type: none"> • creches; • early childhood centres; • day care centres; • kindergartens; • Kohanga Reo; • playgroups; • day nurseries; and • home based childcare and education activities; and • Puna Reo²⁵ 	
Cleanfill area	means an area used exclusively for the disposal of cleanfill material.	NPS definition
Cleanfill material	means virgin excavated natural materials including clay, gravel, sand, soil and rock that are free of: <ul style="list-style-type: none"> • combustible, putrescible, degradable or leachable components; • hazardous substances and materials; • products and materials derived from hazardous waste treatment, stabilisation or disposal practices; • medical and veterinary wastes, asbestos, and radioactive substances; • contaminated soil and other contaminated materials; and • liquid wastes. 	NPS definition
Coastal environment	means the area identified on the planning maps as being located within the inland extent of the coastal environment.	

²⁴ Kāinga Ora [81.42]²⁵ TROTR [264.83]

Coastal Hazard Overlay	means the areas identified in Table 4 Coastal Hazard Overlays in APP10 - Natural Hazard Risk Assessment and shown on the planning maps.
Coastal High Natural Character Area	means an area of coastal high natural character identified in SCHED11 - Coastal High Natural Character Areas.
Coastal margin	means all landward property which is within 20m of the line of MHWS.
Coastal marine area	has the same meaning as in section 2 of the RMA: means the foreshore, seabed, and coastal water, and the air space above the water— <ul style="list-style-type: none"> • of which the seaward boundary is the outer limits of the territorial sea; and • of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of— <ul style="list-style-type: none"> ○ 1 kilometre upstream from the mouth of the river; or ○ the point upstream that is calculated by multiplying the width of the river mouth by 5.
Coastal water	has the same meaning as in section 2 of the RMA: means seawater within the outer limits of the territorial sea and includes— <ul style="list-style-type: none"> • seawater with a substantial fresh water component; and • seawater in estuaries, fiords, inlets, harbours, or embayments. <p style="text-align: right;">NPS definition</p>
Commercial activity	means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices). <p style="text-align: right;"><u>NPS definition</u></p>
Commercial service activity	means any activity that <u>provides trades in commercial</u> ²⁶ services rather than goods. It includes: <ul style="list-style-type: none"> • bank; • commercial indoor fitness centres/gymnasiums/play areas; • professional and financial services; • commercial sexual services; • dry cleaner; • funeral director premises; • hair dresser;

²⁶ Kāinga Ora [81.48]

	<ul style="list-style-type: none"> • real estate agent; • show home; • travel agent; and • veterinary clinic. 	
Community corrections activity	means the use of land and buildings for non-custodial services for safety, welfare and community purposes, including probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, administration, and a meeting point for community works groups.	NPS definition
Community facility	means land and buildings used by members of the community for recreational, sporting, cultural, safety, health, welfare, or worship purposes. It includes provision for any ancillary activity that assists with the operation of the community facility.	NPS definition
Community garden	means land used as a garden operated by a group or collective for the purpose of growing plants, vegetables or fruit on a not for profit basis and excludes any retail activity.	
Community scale renewable energy generation activity	means systems or equipment that generate electricity from renewable sources for the purpose of supplying electricity to an immediate community or exporting back into the distribution network.	
Conservation activity	means the use of land for activities undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It may include activities which assist to enhance the public's appreciation and recreational enjoyment of the resource and includes: <ul style="list-style-type: none"> • planting; • pest and weed control; • plant and tree nurseries; and • track construction. 	
Construction activity	means undertaking or carrying out any of the following building works: <ul style="list-style-type: none"> • erection of new buildings and structures; • alterations and additions to existing buildings or structures; • demolition or removal of an existing building or structure, including total or partial demolition or removal; and • relocation of a building; but excludes any building work associated with infrastructure.	

	Note: Building work associated with infrastructure is addressed in the Infrastructure chapter.	
Contaminant	<p>has the same meaning as in section 2 of the RMA: includes any substance (including gases, odorous compounds, liquids, solids, and micro-organisms) or energy (excluding noise) or heat, that either by itself or in combination with the same, similar, or other substances, energy, or heat—</p> <ul style="list-style-type: none"> • when discharged into water, changes or is likely to change the physical, chemical, or biological condition of water; or • when discharged onto or into land or into air, changes or is likely to change the physical, chemical, or biological condition of the land or air onto or into which it is discharged. 	NPS definition
Contaminated land	<p>has the same meaning as in section 2 of the RMA: means land that has a hazardous substance in or on it that—</p> <ul style="list-style-type: none"> • has significant adverse effects on the environment; or • is reasonably likely to have significant adverse effects on the environment. 	NPS definition
Contractor's yard²⁷	<p>means a yard-based depot where there is storage of machinery and materials, plus ancillary buildings, for the purpose of operating a contracting business, including:</p> <ul style="list-style-type: none"> • earthmoving; • scaffolding; • construction; and • roading and other infrastructure. 	
Cultivation	<p>means the alteration or disturbance of land (or any matter constituting the land including soil, clay, sand and rock), for the purpose of sowing, growing or harvesting of pasture or crops.</p>	NPS definition
Customary activity	<p>means the use of land or buildings for Māori cultural activities which includes marae activities, making or creating customary goods, rongoā, raranga, whakairo, hauhake, waka ama, Kingitanga events (Poukai), and other activities that recognise and provide for the special relationship between tangata whenua and places of customary importance.</p>	

²⁷ Kāinga Ora [81.53]

Customary harvesting	means the harvesting of indigenous vegetation by mana whenua, in accordance with tikanga for traditional uses. These include; <ul style="list-style-type: none"> • food gathering; • carving; • weaving; and • traditional medicine. 	
Customer connection line	means a line that connects a telecommunications or electricity distribution network to a site, including any connection to a building within that site, for the purpose of enabling a network utility operator to provide telecommunication or electrical services to a customer.	
Development area	means an area that is spatially identified and is managed through plans such as concept plans, structure plans, outline development plans, master plans or growth area plans that determine future land use or development.	
Digital sign	means a sign with an electronic display that uses technologies such as LCD, LED, projection and e-paper to display digital images, video, web pages, weather data, restaurant menus, or text. Includes illumination.	
Directional sign	means a sign that provides information or instruction relating to public safety, such as directions within the site for drivers, cyclists and pedestrians, property entrances or security purposes.	
Discharge	has the same meaning as in section 2 of the RMA: includes emit, deposit, and allow to escape.	NPS definition
Drain	means any artificial watercourse, designed, constructed, or used for the drainage of surface or subsurface water, but excludes artificial watercourses used for the conveyance of water for electricity generation, irrigation, or water supply purposes.	NPS definition
Drinking water	means water intended to be used for human consumption; and includes water intended to be used for food preparation, utensil washing, and oral or other personal hygiene.	NPS definition
Drive-through activity	means any activity with a substantial focus on drive-through transactions, including service stations and drive-in or drive-through retail and services outlets and restaurants.	
Drive-through restaurant	means any land or building on or in which food and beverages are prepared, served and sold to the public inclusive of a facility designed to serve customers in their vehicles, for the consumption on or off the premises and may include an ancillary cafe or playground area.	

Dry abrasive blasting	means abrasive blasting using materials to which no water has been added.	NPS definition
Dust	means all non-combusted solid particulate matter that is suspended in the air, or has settled after being airborne. Dust may be derived from materials including rock, sand, cement, fertiliser, coal, soil, paint, animal products and wood.	NPS definition
Earthworks	means the alteration or disturbance of land, including by moving, removing, placing, blading, cutting, contouring, filling or excavation of earth (or any matter constituting the land including soil, clay, sand and rock); but excludes gardening, cultivation, and disturbance of land for the installation of fence posts.	NPS definition
Educational facility	means land or buildings used for teaching or training by child care services, schools, and tertiary education services, including any ancillary activities.	NPS definition
Effect	<p>has the same meaning as in section 3 of the RMA: includes—</p> <ul style="list-style-type: none"> • any positive or adverse effect; and • any temporary or permanent effect; and • any past, present, or future effect; and • any cumulative effect which arises over time or in combination with other effects— <p>regardless of the scale, intensity, duration, or frequency of the effect, and also includes—</p> <ul style="list-style-type: none"> • any potential effect of high probability; and • any potential effect of low probability which has a high potential impact. 	NPS definition
Election sign	means a temporary sign that promotes the election of a candidate or party for local or central government in accordance with the Electoral Act 1993 and the Electoral (Advertisement of a Specified Kind) Regulations 2005.	
Emergency service facilities	<p>means places occupied by organisations that respond to and deal with accidents, emergencies, or urgent problems such as fire, illness, or crime.</p> <p>Includes:</p> <ul style="list-style-type: none"> • police, fire and ambulance stations; • surf lifesaving activities; • administration related to emergency services; 	

	<ul style="list-style-type: none"> • vehicle and equipment storage and maintenance; and • personnel training. <p>Excludes:</p> <ul style="list-style-type: none"> • healthcare activities; • hospitals; and • private security companies. 	
Entertainment and hospitality activity	means any activity where the primary business is providing entertainment or hospitality.	
Entertainment facility	means any commercial facility used for leisure, entertainment or hospitality. It includes: <ul style="list-style-type: none"> • cinemas; • theatres; • concert venues; • conference centres; and • private function facilities. 	
Environment	has the same meaning as in section 2 of the RMA: includes— <ul style="list-style-type: none"> • ecosystems and their constituent parts, including people and communities; and • all natural and physical resources; and • amenity values; and • the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters. 	<u>NPS definition</u>
Esplanade reserve	has the same meaning as in section 2 of the RMA: means a reserve within the meaning of the Reserves Act 1977— <ul style="list-style-type: none"> • which is either— <ul style="list-style-type: none"> ○ a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or ○ a reserve vested in the Crown or a regional council under section 237D; and • which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229. 	<u>NPS definition</u>
Esplanade strip	has the same meaning as in section 2 of the RMA: means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.	<u>NPS definition</u>

Fertiliser	<p>means a substance or biological compound or mix of substances or biological compounds in solid or liquid form, that is described as, or held out to be suitable for, sustaining or increasing the growth, productivity or quality of soils, plants or, indirectly, animals through the application to plants or soil of any of the following:</p> <ul style="list-style-type: none"> • nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chlorine, and sodium as major nutrients; or • manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, and selenium as minor nutrients; or • fertiliser additives to facilitate the uptake and use of nutrients; or • non-nutrient attributes of the materials used in fertiliser. <p>It does not include livestock effluent, human effluent, substances containing pathogens, or substances that are plant growth regulators that modify the physiological functions of plants.</p>	<u>NPS definition</u>
Flag sign	<p>means a sign intended for the purposes of advertising or to attract attention which is made from fabric, textile or cloth, such as a teardrop flag or flag banner.</p>	
Food and beverage activity	<p>means any activity where the primary business is selling food or beverages for immediate consumption on or off-site. It includes:</p> <ul style="list-style-type: none"> • restaurants; • cafes; • bars; • taverns; and • take-away food bars <p>It excludes:</p> <ul style="list-style-type: none"> • retail activities; • supermarkets; and • drive-through restaurants. 	
Free standing sign	<p>means a self-supporting sign that is fixed on or into the ground and that is not attached to a wall, building, fence, structure or street furniture. Includes flag signs that are fixed to land, structures or buildings.</p>	
Freight depot	<p>means facility used for receiving, despatching or consolidating goods in transit by road, rail, air or sea. It includes carriers' depots.</p>	
Freshwater	<p>has the same meaning as fresh water in section 2 of the RMA: means all water except coastal water and geothermal water.</p>	<u>NPS definition</u>

Functional need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because the activity can only occur in that environment.	NPS definition
Gas transmission network	means pipelines for the transmission of natural or manufactured gas or petroleum at a gauge pressure exceeding 2,000 kilopascals, including any associated above or below ground fitting, appurtenance, fixture or equipment required for the conveyance of the product or material in the pipeline and / or for its safe, efficient or effective operation.	
Gas transmission pipeline	means any high-pressure gas pipeline to convey natural gas at a gauge pressure exceeding 2,000 kilopascals.	
Gas transmission pipeline corridor	means the area of land within 10m from the centreline of the Gas Transmission Pipeline.	
Golf course	means a course used for playing golf and includes associated buildings and structures and ancillary activity.	
Green infrastructure	means a natural or semi-natural area, feature or process, including engineered systems that mimic natural processes, which are planned or managed to: <ul style="list-style-type: none"> • provide for aspects of ecosystem health or resilience, such as maintaining or improving the quality of water, air or soil, and habitats to promote biodiversity; and • provide services to people and communities, such as storm water or flood management or climate change adaptation. 	NPS definition
Greywater	means liquid waste from domestic sources including sinks, basins, baths, showers and similar fixtures, but does not include sewage, or industrial and trade waste.	NPS definition
Gross floor area	means the sum of the total area of all floors of a building or buildings (including any void area in each of those floors, such as service shafts, liftwells or stairwells), <ul style="list-style-type: none"> • where there are exterior walls, measured from the exterior faces of those exterior walls • where there are walls separating two buildings, measured from the centre lines of the walls separating the two buildings 	NPS definition

	<ul style="list-style-type: none"> • where a wall or walls are lacking (for example, a mezzanine floor) and the edge of the floor is discernible, measured from the edge of the floor. 	
Ground level	<p>means—</p> <ul style="list-style-type: none"> • the actual finished surface level of the ground after the most recent subdivision that created at least one additional allotment was completed (when the record of title is created) • if the ground level cannot be identified under paragraph (a), the existing surface level of the ground • if, in any case under paragraph (a) or (b), a retaining wall or retaining structure is located on the boundary, the level on the exterior surface of the retaining wall or retaining structure where it intersects the boundary. 	<u>NPS definition</u>
Groundwater	means water occupying openings, cavities, or spaces in soils or rocks beneath the surface of the ground.	<u>NPS definition</u>
Habitable room	means any room used for the purposes of teaching or used as a living room, dining room, sitting room, bedroom, office or other room specified in the Plan to be a similarly occupied room.	<u>NPS definition</u>
Hazardous substance	<p>has the same meaning as in section 2 of the RMA: includes, but is not limited to, any substance defined in section 2 of the Hazardous Substances and New Organisms Act 1996 as a hazardous substance. The Hazardous Substances and New Organisms Act 1996 defines hazardous substances as meaning, unless expressly provided otherwise by regulations or an EPA notice, any substance—</p> <ul style="list-style-type: none"> • with 1 or more of the following intrinsic properties: <ul style="list-style-type: none"> ○ explosiveness: ○ flammability: ○ a capacity to oxidise: ○ corrosiveness: ○ toxicity (including chronic toxicity): ○ ecotoxicity, with or without bioaccumulation; or • which on contact with air or water (other than air or water where the temperature 	<u>NPS definition</u>

	or pressure has been artificially increased or decreased) generates a substance with any 1 or more of the properties specified in paragraph (a).	
Hazard-Sensitive Activities	means activities that are sensitive to natural hazards, including: <ul style="list-style-type: none"> • childcare services; • community facility; • educational facility; • emergency service facilities; • healthcare activity; • hospital; • marae; • multi-unit housing; • places of worship; and • residential units and minor residential units (including those associated with papakāinga) 	
Healthcare activity	means the use of land and/or buildings for providing physical or mental health or welfare services, including: <ul style="list-style-type: none"> • medical practitioners; • dentists and dental technicians; • opticians; • physiotherapists; • medical social workers and counsellors; • midwives; • paramedical practitioners; • alternative therapists; • providers of health and wellbeing services; • diagnostic laboratories; and • accessory offices; but excluding hospitals.	
Height	means the vertical distance between a specified reference point and the highest part of any feature, structure or building above that point.	<u>NPS definition</u>
Height in relation to boundary	means the height of a structure, building or feature, relative to its distance from either the boundary of a: <ul style="list-style-type: none"> • site, or • other specified reference point. 	<u>NPS definition</u>
Heritage alteration	means in relation to a heritage item listed in SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED 4 - Historic Heritage Sites, any modification of the heritage item or historic heritage site that varies its size, style or composition. Heritage alteration of a heritage item includes:	

	<ul style="list-style-type: none"> • modification of, addition to, or permanent removal of physical fabric which is not decayed or damaged; • changes to existing surface finishes and/or materials; and • addition of physical fabric. <p>Heritage alteration of a historic heritage site includes:</p> <ul style="list-style-type: none"> • modification or additions to buildings, structures or features; • modification or additions to landscaping layout, paths, paving, circulation or on-site access, walkways or cycleways; and • new features. <p>Heritage alteration of a heritage item or historic heritage site excludes:</p> <ul style="list-style-type: none"> • earthworks; • maintenance; • redecoration; • repairs; and • heritage restoration.
Heritage item	means a building or item identified in SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B). Heritage items may include more than one building or item and can include structures and features.
Heritage restoration	means to return a heritage item listed in SCHED2 - Historic Heritage Items (Group A), SCHED 3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED4 - Historic Heritage Sites to a known earlier form by putting the material components of an item or historic heritage site back into position through reassembly and reinstatement. Restoration includes: <ul style="list-style-type: none"> • the reuse of mainly existing materials and may include the use of similar materials; and • the removal of non-original elements that detract from the identified heritage value.
Heritage setting	means the area around a heritage item in {Link, 10369,SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B) and which is identified in these schedules and spatially defined in the District Plan. Heritage settings are integral to the function, meaning and relationships of these heritage items and they also contribute to the heritage value of the heritage items.
Heritage values	means the following values which contribute to the significance of a heritage item and its heritage setting listed in SCHED2 - Historic Heritage Items (Group A), or SCHED3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED4 - Historic Heritage Sites: <ul style="list-style-type: none"> • historic values; • physical values;

	<ul style="list-style-type: none"> • social values; • tangata whenua values ; • surroundings; • rarity; and • representativeness. 	
Historic heritage	<p>has the same meaning as in section 2 of the RMA:</p> <ul style="list-style-type: none"> • means those natural and physical resources that contribute to an understanding and appreciation of New Zealand's history and cultures, deriving from any of the following qualities: <ul style="list-style-type: none"> ○ archaeological: ○ architectural: ○ cultural: ○ historic: ○ scientific: ○ technological; and • includes— <ul style="list-style-type: none"> ○ historic sites, structures, places, and areas; and ○ archaeological sites; and ○ sites of significance to Māori, including wāhi tapu; and ○ surroundings associated with the natural and physical resources. 	<u>NPS definition</u>
Historic heritage site	means a site or place identified in SCHED4 - Historic Heritage Sites.	
Home business	<p>means a commercial activity that is:</p> <ul style="list-style-type: none"> • undertaken or operated by at least one resident of the site; and • is incidental to the use of the site for a residential activity. 	<u>NPS definition</u>
Hospital	<p>means the use of land and/or buildings for the primary purpose of providing medical, surgical, mental health, oral health, maternity, geriatric and convalescent or hospice services to the community. This includes:</p> <ul style="list-style-type: none"> • medical and psychiatric assessment, diagnosis, treatment, rehabilitation and in-patient care services, including operating theatres; • dispensaries; • outpatient departments and clinics; • medical research and testing facilities, including diagnostic laboratories; • medical training and education; • helicopter landing and ambulance facilities; • first aid and other health-related training facilities; 	

	<ul style="list-style-type: none"> rehabilitation facilities, including gymnasiums and pools; palliative facilities; hospice facilities; residential care services and facilities; temporary living accommodation secure facilities; mortuaries; and operations and maintenance support services, including laundries, kitchens, cafeterias, refreshment facilities, generators, substation, storage facilities, ancillary offices, ancillary retail, ancillary childcare and ancillary business services and workshops. 	
Hydraulic neutrality	means managing stormwater runoff from all new lots or development areas through either on-site disposal or storage, so that stormwater is released from the site at a rate that does not exceed the pre-development peak stormwater runoff.	
Hydraulic neutrality device	means the physical measures to achieve hydraulic neutrality.	
Illuminated sign	means a static sign that is internally or externally lit by a light source.	
Impervious surface	<p>means a surface which prevents or significantly constrains the soakage or filtration of water into the ground. It includes:</p> <ul style="list-style-type: none"> roofs; paved areas including driveways and sealed or compacted metal parking areas and patios; tennis or netball courts; sealed and compacted-metal roads; and engineered layers such as compacted clay. <p>It excludes:</p> <ul style="list-style-type: none"> grass or bush areas; gardens and other landscaped areas; permeable paving and green roofs; permeable artificial surfaces, fields or lawns; slatted decks; swimming pools, ponds and dammed water; and rain tanks. 	
Industrial activity	means an activity that manufactures, fabricates, processes, packages, distributes, repairs, stores, or disposes of materials (including raw, processed, or partly processed materials) or goods. It includes any ancillary activity to the industrial activity.	<u>NPS definition</u>
Industrial and trade waste	means liquid waste, with or without matter in suspension, from the receipt, manufacture or processing of materials as part of a	<u>NPS definition</u>

	commercial, industrial or trade process, but excludes sewage and greywater.
Infrastructure	<p>has the same meaning as in section 2 of the RMA: means—</p> <ul style="list-style-type: none"> • pipelines that distribute or transmit natural or manufactured gas, petroleum, biofuel, or geothermal energy; • a network for the purpose of telecommunication as defined in section 5 of the Telecommunications Act 2001; • a network for the purpose of radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; • facilities for the generation of electricity, lines used or intended to be used to convey electricity, and support structures for lines used or intended to be used to convey electricity, excluding facilities, lines, and support structures if a person— <ul style="list-style-type: none"> ○ uses them in connection with the generation of electricity for the person's use; and • does not use them to generate any electricity for supply to any other person; • a water supply distribution system, including a system for irrigation; • a drainage or sewerage system; • structures for transport on land by cycleways, rail, roads, walkways, or any other means; • facilities for the loading or unloading of cargo or passengers transported on land by any means; • an airport as defined in section 2 of the Airport Authorities Act 1966; • a navigation installation as defined in section 2 of the Civil Aviation Act 1990; • facilities for the loading or unloading of cargo or passengers carried by sea, including a port related commercial undertaking as defined in section 2(1) of the Port Companies Act 1988; and • anything described as a network utility operation in regulations made for the purposes of the definition of network utility operator in section 166.
Integrated retail activity	<p>means a building or development which comprises multiple retail activities that are operated or managed as a single entity, regardless of whether or not they are located on separate legal titles, and that share one or more of the following:</p> <ol style="list-style-type: none"> a. servicing or loading facilities; b. vehicle or pedestrian access; c. car parking; and d. public spaces or facilities. <p>It includes:</p> <ol style="list-style-type: none"> a. shopping malls; and b. foodcourts.

Integrated transport assessment	means an analysis to determine the impacts of a development on the transport network for all modes of travel and effects on safety, parking, efficiency, access and the capacity of the transport network.	
Intensive indoor primary production	means primary production activities that principally occur within buildings and involve growing fungi, or keeping or rearing livestock (excluding calf-rearing for a specified time period) or poultry.	NPS definition
Intersection	has the meaning set out in 1.6 Interpretation, Part 1 (Preliminary Provisions) of the Land Transport (Road User) Rule 2004: <ul style="list-style-type: none"> a. in relation to 2 or more intersecting or meeting roadways, means that area contained within the prolongation or connection of the lateral boundary lines of each roadway; but b. if 2 roadways are separated only by a traffic island or by a median less than 10m wide, the roadways must be regarded as 1 roadway. 	
Investigation activities	means structures for the investigation, identification and assessment of potential sites and energy sources for renewable electricity generation by existing and prospective generators and includes the following activities: <ul style="list-style-type: none"> a. erecting an anemometer mast; b. digging test pits, drilling boreholes, constructing investigation drives and removing samples to investigate geological conditions; c. installing instruments into drill holes for monitoring groundwater levels and land movement; d. erecting survey monuments and installing instruments to monitor land movement; e. erecting telemetry stations for the transmission of instrument data; f. installing microseismic stations to measure microseismic activity and ground noise; and g. erection of signs or notices giving warning of danger. 	
Iwi authority	has the same meaning as in section 2 of the RMA: means the authority which represents an iwi and which is recognised by that iwi as having authority to do so.	
Kaitiakitanga	has the same meaning as in section 2 of the RMA: 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.	
LA90	has the same meaning as the 'Background sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.	NPS definition

LAeq	has the same meaning as 'time-average A-weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics - Measurement of Environmental Sound.	NPS definition
LAF(max)	has the same meaning as the 'maximum A-frequency weighted, F-time weighted sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement Of Environmental Sound.	NPS definition
Lake	has the same meaning as in section 2 of the RMA: means a body of fresh water which is entirely or nearly surrounded by land.	NPS definition
Land	has the same meaning as in section 2 of the RMA: a. includes land covered by water and the airspace above land; and b. in a national environmental standard dealing with a regional council function under section 30 or a regional rule, does not include the bed of a lake or river; and c. in a national environmental standard dealing with a territorial authority function under section 31 or a district rule, includes the surface of water in a lake or river.	NPS definition
Land disturbance	means alteration or disturbance of land, (or any matter constituting the land including, soil, clay, sand and rock), that does not permanently alter the profile, contour or height of the land.	NPS definition
Landfill	means an area used for, or previously used for, the disposal of solid waste. It excludes cleanfill areas.	NPS definition
Landscaped area	means an area which is grassed and planted in trees and shrubs, and may include permeable artificial lawn.	
Large format retail activity	means any individual retail activity with a store or individual tenancy exceeding 450m ² gross floor area.	
Large scale renewable electricity generation activity	means the land, buildings, substations, turbines, structures, underground cabling earthworks, access tracks and roads associated with the generation of electricity from a renewable energy source and the operation of the renewable energy generation activity greater for the purpose of exporting electricity directly into the distribution or transmission network. It does not include: a. Small Scale Renewable Energy Generation Activities; or	

	b. Community Scale Renewable Energy Generation Activities.	
L_{dn}	has the same meaning as the 'Day night level, or day-night average sound level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.	NPS definition
Less-Hazard-Sensitive Activities	<p>means activities that are less sensitive to natural hazards, including:</p> <ul style="list-style-type: none"> a. accessory buildings used for non-habitable purposes; b. boating facilities (above MHWS); c. parks facilities; d. parks furniture; and e. buildings associated with temporary activities. <p>It excludes Hazard-Sensitive Activities and Potentially-Hazard-Sensitive Activities even if they are ancillary to Less-Hazard-Sensitive Activities.</p>	
Licensed amateur radio operator	means a person who has been granted a General User Radio Licence under the Radiocommunications Regulations 2001.	
Light industrial activity	means industrial activity that does not involve the use of heavy machinery and does not generate objectionable odour, dust or noise.	
Line	<p>means line as defined in Section 5 of the Telecommunications Act 2001:</p> <p>means a wire or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, instruction, information, or intelligence of any nature by means of any electromagnetic system; and Includes—</p> <ul style="list-style-type: none"> a. any pole, insulator, casing, fixture, tunnel, or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any of those wires or conductors; and b. any part of a line; <p>and means line as defined in section 2 of the Electricity Act 1992:</p> <ul style="list-style-type: none"> a. means works that are used or intended to be used for the conveyance of electricity. 	
L_{peak}	has the same meaning as 'Peak sound pressure level' in New Zealand Standard 6801:2008 Acoustics – Measurement of Environmental Sound.	NPS definition
Maintenance	means in relation to a heritage item listed in SCHED2 - Historic Heritage Items (Group A) or in SCHED3 - Historic Heritage Items (Group B), or a historic heritage site listed in SCHED 4 - Historic Heritage Sites, the regular and ongoing	

	<p>protective care of the heritage item and/or historic heritage site to prevent deterioration and retain its heritage values. Maintenance excludes:</p> <ol style="list-style-type: none"> a. heritage alterations; b. earthworks c. redecoration; d. repairs; and e. heritage restoration. <p>means in relation to a site or area listed in SCHED6 - Sites and Areas of Significance to Māori the regular and ongoing protective care of a site or area to prevent deterioration and retain its values. Maintenance excludes:</p> <ol style="list-style-type: none"> a. earthworks.
Maintenance and repair	means any work or activity necessary to continue the operation and / or functioning of existing infrastructure. It does not include upgrading.
Major sports facility	<p>means a large single or multi-purpose recreation facility used for organized sport, recreation activities, tournaments and sports education, whether indoor or outdoor, public or private, and whether a charge is made for admission or not. It includes:</p> <ol style="list-style-type: none"> a. stadiums (covered and open air); b. multi sport facilities; c. swimming pool complexes/aquatic centres (covered and open air); d. racecourses; e. golf driving ranges; f. showgrounds and/or equestrian raceways, including stables and servicing facilities; g. athletics complexes; and h. accessory facilities such as club rooms/clubhouses, spectator seating, and lighting and associated support structures.
Mana whenua	has the same meaning as in section 2 of the RMA: Customary authority exercised by an iwi or hapū in an identified area.
Meteorological activities	<p>means buildings, structures and activities for the purpose of monitoring weather and includes:</p> <ol style="list-style-type: none"> a. meteorological enclosures and buildings; b. automatic weather stations; c. anemometer masts; d. voluntary observer sites; and e. associated microwave links.
Mining	<p>has the same meaning as in section 2 of the RMA and Crown Minerals Act 1991: means to take, win, or extract, by whatever means—</p> <ol style="list-style-type: none"> a. A mineral existing in its natural state in land; or b. A chemical substance from a mineral existing in its natural state in land; and

	<p>Includes—</p> <ul style="list-style-type: none"> a. The injection of petroleum into an underground gas storage facility; and b. The extraction of petroleum from an underground gas storage facility; but <p>Does not include prospecting or exploration for a mineral or chemical substance referred to in paragraph (a)</p>	
Minor earthworks	means earthworks for the installation and construction of service connections, effluent disposal systems, and interments in cemeteries or urupā.	
Minor residential unit	means a self-contained residential unit that is ancillary to the principal residential unit, and is held in common ownership with the principal residential unit on the same site.	NPS definition
Multi-unit housing	means any development that will result in three or more residential units on any site.	
National grid	<p>has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009:</p> <p>means the network that transmits high-voltage electricity in New Zealand and that, at the commencement of these regulations, is owned and operated by Transpower New Zealand Limited, including—</p> <ul style="list-style-type: none"> a. transmission lines; and b. electricity substations. 	

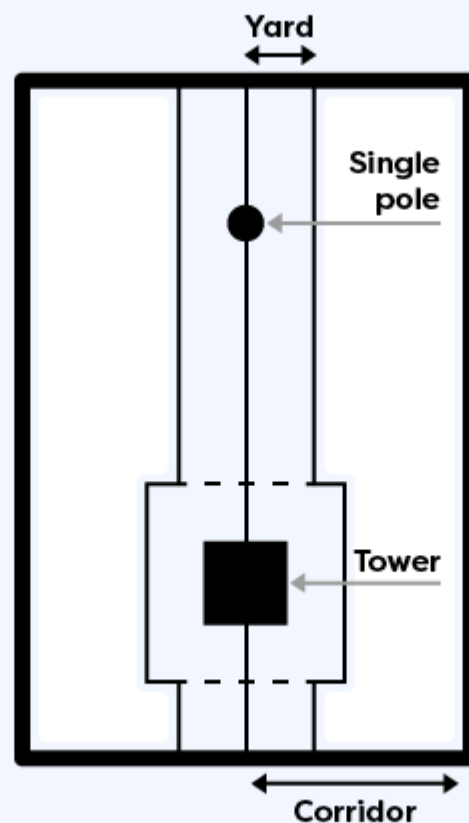
**National
grid
corridor**

means, as depicted in Diagram 1, the area measured either side of the centre line of any above ground electricity transmission line as follows:

- a. 14m of a 110kV transmission line on single poles;
- b. 16m of a 110kV transmission line on pi poles;
- c. 32m of a 110kV transmission line on towers;
- d. 37m of a 220kV transmission line.

The measurement of setback distances from National Grid transmission lines shall be undertaken from the centre line of the National Grid 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. Note: the National Grid Corridor does not apply to underground cables or any transmission lines (or sections of line) that are designated

Diagram 1: National Grid Yard and National Grid Corridor.

**National
grid
Pāuatahanui
substation
yard**

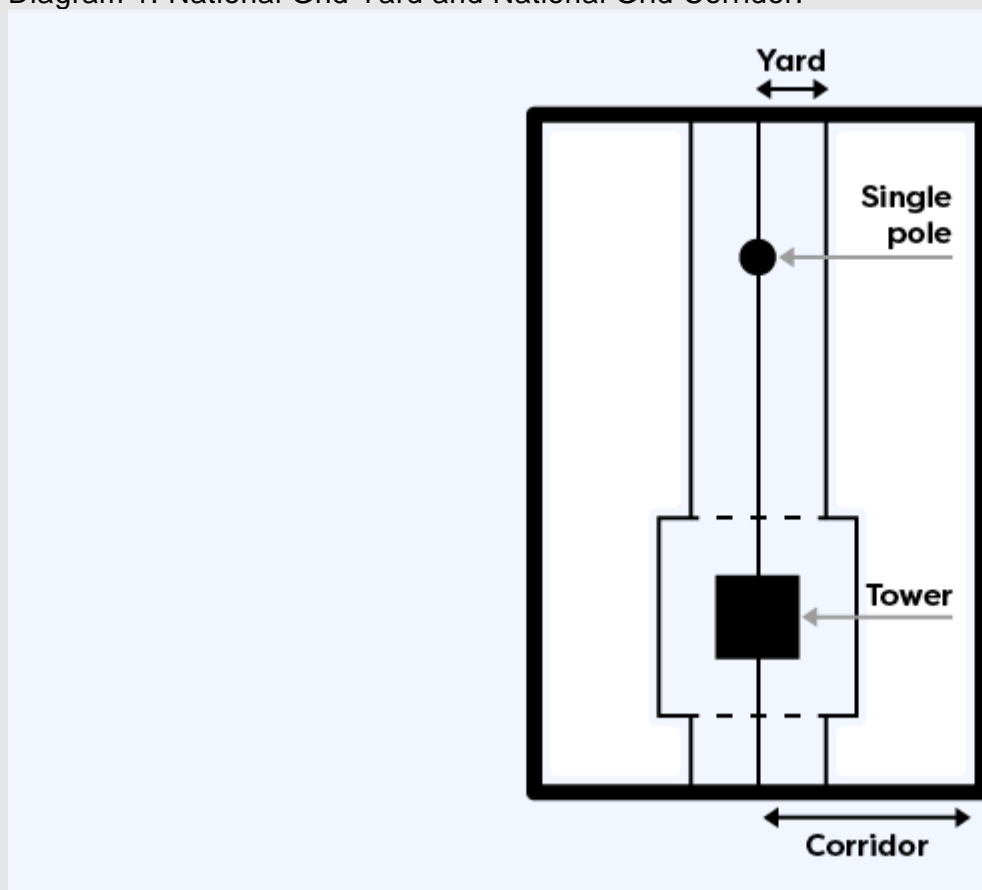
means the area located within 30m of the boundary of the National Grid Pāuatahanui Substation designation TPR-01.

National grid yard

- means, as depicted in Diagram 1:
- a. the area located within 10m of either side of the centreline of an above ground 110kV electricity transmission line on single poles;
 - b. the area located within 12m either side of the centreline of an above ground transmission line on pi-poles or towers that is 110kV or greater;
 - c. the area located within 12m in any direction from the outer visible edge of an electricity transmission pole or tower foundation, associated with a line which is 110kV or greater.

The measurement of setback distances from National Grid transmission lines must be undertaken from the centre line of the National Grid 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. Note: the National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated.

Diagram 1: National Grid Yard and National Grid Corridor.



Natural and physical resources

has the same meaning as in section 2 of the RMA:
Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.

[NPS definition](#)

Natural hazard	has the same meaning as in section 2 of the RMA: means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire, or flooding) the action of which adversely affects or may adversely affect human life, property, or other aspects of the environment.	<u>NPS definition</u>
Natural hazard mitigation activity	means hazard mitigation earthworks, hazard mitigation structures, repair and maintenance of hazard mitigation structures, features or earthworks and emergency natural hazard mitigation activities.	
Natural Hazard Overlay	means the areas identified in Table 3 Natural Hazard Overlays in APP10 - Natural Hazard Risk Assessment and shown on the planning maps.	
Net floor area	<ul style="list-style-type: none"> a. means the sum of any gross floor area; and b. includes— <ul style="list-style-type: none"> i. both freehold and leased areas; and ii. any stock storage or preparation areas; but c. excludes— <ul style="list-style-type: none"> i. void areas such as liftwells and stair wells, including landing areas; ii. shared corridors and mall common spaces; iii. entrances, lobbies and plant areas within a building; iv. open or roofed outdoor areas, and external balconies, decks, porches and terraces; v. off street loading areas; vi. building service rooms; vii. parking areas and basement areas used for parking, manoeuvring and access; and viii. non-habitable floor spaces in rooftop structures. 	<u>NPS definition</u>
Net site area	<p>means the total area of the site, but excludes:</p> <ul style="list-style-type: none"> a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; 	<u>NPS definition</u>

	<p>e. any part of the site used for access to the site;²⁸</p> <p>d. <u>c.</u> any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.</p>	
Network utility operator	<p>has the same meaning as in s166 of the RMA:</p> <p>means a person who—</p> <ul style="list-style-type: none"> a. undertakes or proposes to undertake the distribution or transmission by pipeline of natural or manufactured gas, petroleum, biofuel, or geothermal energy; or b. operates or proposes to operate a network for the purpose of— <ul style="list-style-type: none"> i. telecommunication as defined in section 5 of the Telecommunications Act 2001; or ii. radiocommunication as defined in section 2(1) of the Radiocommunications Act 1989; or c. is an electricity operator or electricity distributor as defined in section 2 of the Electricity Act 1992 for the purpose of line function services as defined in that section; or d. undertakes or proposes to undertake the distribution of water for supply (including irrigation); or e. undertakes or proposes to undertake a drainage or sewerage system; or f. constructs, operates, or proposes to construct or operate, a road or railway line; or g. is an airport authority as defined by the Airport Authorities Act 1966 for the purposes of operating an airport as defined by that Act; or h. is a provider of any approach control service within the meaning of the Civil Aviation Act 1990; or i. undertakes or proposes to undertake a project or work prescribed as a network utility operation for the purposes of this definition by regulations made under this Act,— <p>and the words network utility operation have a corresponding meaning.</p>	<u>NPS definition</u>

²⁸ Kāinga Ora [81.114], Survey+Spatial [72.8]

Noise	has the same meaning as in section 2 of the RMA: includes vibration.	NPS definition
Noise-sensitive activity	means: a. residential activity; b. marae; c. hospital; d. healthcare activity; e. educational facility; or f. visitor accommodation activity.	
Notional boundary	means a line 20 metres from any side of a residential unit or other building used for a noise-sensitive activity, or the legal boundary where this is closer to such a building.	NPS definition
Office	means an activity conducted within a building and focusing on business, government, professional or financial services and includes the personal service elements of these activities.	
Official sign	means all signs required or provided for under any statute or regulation or are otherwise related to aspects of public safety.	NPS definition
Off-site sign	means any sign that is used to advertise activities, goods and services that are not undertaken, sold or provided on the site on which the sign is located.	
On-site transport facilities	means facilities and areas that are provided and available for manoeuvring, parking, loading and storage of vehicles and bicycles and for pedestrian movement on publicly or privately owned land for public or private use. It excludes private ways and facilities provided within the road reserve or railway corridor.	
Operating speed	means the speed at or below which 85% of cars are observed to travel under free-flowing conditions past a nominated point.	
Operational need	means the need for a proposal or activity to traverse, locate or operate in a particular environment because of technical, logistical or operational characteristics or constraints.	NPS definition
Outdoor living space	means an area of open space for the use of the occupants of the residential unit or units to which the space is allocated.	NPS definition
Outstanding natural features and landscapes	means an area of outstanding natural features and landscapes identified in SCHED9 - Outstanding Natural Features and Landscapes.	

Overlay	means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions, as set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay.	
Papakāinga	means any activity undertaken in the traditional rohe of tangata whenua to sustain themselves, which is on land held under Te Ture Whenua Māori Act 1993, or on land where there is an ancestral connection to the land and the land will remain in Māori ownership in the long term. Papakāinga may include (but not be limited to) residential, social, cultural, economic, conservation and recreation activities, marae, wāhi tapu and urupā.	
Parks facilities	means land or structures that facilitate the management, use and enjoyment of a public open space, including: <ul style="list-style-type: none"> a. vehicle, machinery and equipment depots; b. storage sheds; c. public toilets, shelters and changing facilities; d. foot bridges and boardwalks; and e. minor stormwater management devices e.g. rain gardens. 	
Parks furniture	means structures established for the convenience and amenity of the public, including: <ul style="list-style-type: none"> a. seating and picnic tables and barbeques; b. fountains, drinking fountains and water features; c. public art; d. play spaces, playground equipment and associated safety surfacing; e. cycle parking structures; f. rubbish bins; g. lighting structures; h. shade sails; and i. gardens, landscaping and planting. 	
Peak particle velocity	means, to the extent used for the assessment of the risk of structural damage to a fixed structure, the instantaneous maximum velocity reached by a vibrating surface as it oscillates about its normal position.	<u>NPS definition</u>
Pedestrian and cycling access	mean an access designed and constructed for use only by pedestrians and cyclists.	
Places of worship	means premises used for public or private religious worship, religious ceremonies, religious meetings or instruction and social gatherings directly related to the work of the religious organisation.	

Planned network upgrade	means any upgrade to the transport network set out in the Regional Land Transport Plan or Porirua City Council Infrastructure Strategy.
Pole	has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: means a structure that supports conductors as part of a transmission line and that— <ul style="list-style-type: none"> a. has no more than 3 vertical supports; and b. is not a steel-lattice structure; and includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations
Potentially-Hazard-Sensitive Activities	means activities that are potentially sensitive to natural hazards, including: <ul style="list-style-type: none"> a. buildings associated with primary production (excluding residential units, minor residential units, residential activities or buildings identified as Less-Hazard-Sensitive Activities); b. commercial activity; c. commercial service activity; d. community corrections activity; e. entertainment facility; f. food and beverage activity; g. industrial activities; h. integrated retail activity; i. large format retail activity; j. major sports facility; k. offices; l. retail activities; m. retirement village; and n. rural industry. It excludes Hazard-Sensitive Activities even if they are ancillary to Potentially-Hazard-Sensitive Activities.
Primary production	means: NPS definition <ul style="list-style-type: none"> a. any aquaculture, agricultural, pastoral, horticultural, mining, quarrying or forestry activities; and b. includes initial processing, as an ancillary activity, of commodities that result from the listed activities in a); c. includes any land and buildings used for the production of the commodities from a) and used for the initial processing of the commodities in b); but d. excludes further processing of those commodities into a different product.
Principal building	means a building, buildings or parts of buildings accommodating the activity for which the site is primarily used.

Private way	has the same meaning as in section 2 of the RMA: has the same meaning as in section 315 of the Local Government Act 1974: means any way or passage whatsoever over private land within a district, the right to use which is confined or intended to be confined to certain persons or classes of persons, and which is not thrown open or intended to be open to the use of the public generally; and includes any such way or passage as aforesaid which at the commencement of this Part exists within any district	
Quarry	means a location or area used for the permanent removal and extraction of aggregates (clay, silt, rock or sand). It includes the area of aggregate resource and surrounding land associated with the operation of a quarry and which is used for quarrying activities.	<u>NPS definition</u>
Quarrying activities	means the extraction, processing (including crushing, screening, washing, and blending), transport, storage, sale and recycling of aggregates (clay, silt, rock, sand), the deposition of overburden material, rehabilitation, landscaping and cleanfilling of the quarry, and the use of land and accessory buildings for offices, workshops and car parking areas associated with the operation of the quarry.	<u>NPS definition</u>
Radiocommunication	has the same meaning as given in section 2 of the Radiocommunications Act 1989: means any transmission or reception of signs, signals, writing, images, sounds, or intelligence of any nature by radio waves.	
Raft	has the same meaning as in section 2 of the RMA: means any moored floating platform which is not self-propelled; and includes platforms that provide buoyancy support for the surfaces on which fish or marine vegetation are cultivated or for any cage or other device used to contain or restrain fish or marine vegetation; but does not include booms situated on lakes subject to artificial control which have been installed to ensure the safe operation of electricity generating facilities.	<u>NPS definition</u>
Railway sign	means any sign erected by or at the direction of a railway operator or access provider to meet the requirements under the Railways Act 2005.	
Real estate sign	means publicly visible signage that is advertising for sale, lease, rent or auction the whole or part of land or premises and includes signs giving directions for open homes.	

Reclamation	means the manmade formation of permanent dry land by the positioning of material into or onto any part of a waterbody, bed of a lake or river or the coastal marine area, and <ul style="list-style-type: none"> a. includes the construction of any causeway, but b. excludes the construction of natural hazard protection structures such as seawalls, breakwaters or groynes except where the purpose of those structures is to form dry land. 	<u>NPS definition</u>
Redecoration	means, for heritage items listed in SCHED2 - Historic Heritage Items (Group A) or SCHED3 - Historic Heritage Items (Group B), the renewal of external surface coatings.	
Refuse transfer station	means facilities used for receiving, storing, collecting, processing and transferring waste materials not generated on-site and may include a recycling station.	
Regionally significant infrastructure	means regionally significant infrastructure including: <ul style="list-style-type: none"> a. pipelines for the distribution or transmission of petroleum; b. the Gas Transmission Network c. the National Grid; d. facilities for the generation and/or transmission of electricity where it is supplied to the network; e. the local authority water supply network and water treatment plants; f. the local authority wastewater and stormwater networks, systems and wastewater treatment plants; g. the Strategic Transport Network, as identified in the operative Wellington Regional Land Transport Plan; and h. Radio New Zealand and NZME Radio Limited's radio transmission facilities at Titahi Bay, designation unique identifier: RNZ-01; and i. facilities and structures necessary for the operation of telecommunications and radiocommunications networks operated by network utility operators. 	
Renewable energy generation activities	means the construction, operation and maintenance and repair of structures associated with renewable electricity generation. This includes small and community-scale distributed renewable generation activities and the system of electricity conveyance required to convey electricity to the distribution network and/or the national grid and electricity storage technologies associated with renewable electricity.	
Repair	means in relation to a heritage item listed in SCHED2 - Historic Heritage Items (Group A), or SCHED 3 - Historic Heritage Items (Group B), to improve the long-term condition of the heritage item, by using identical or closely similar	

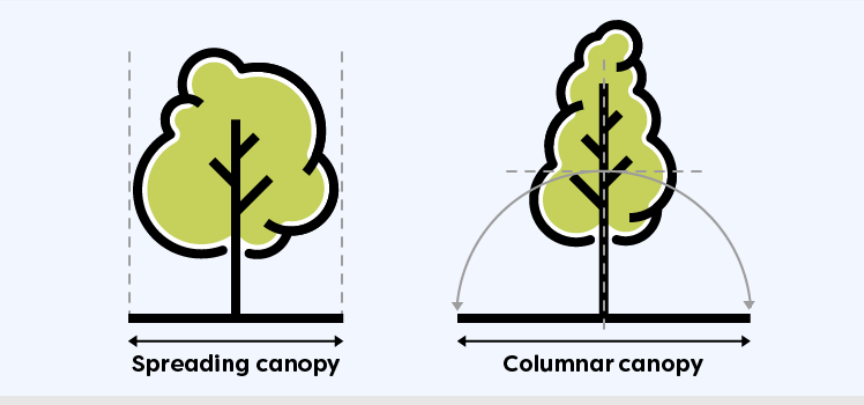
	materials to fix any damaged or decayed fabric. Repair includes: 1. refurbishing deteriorated brick and timberwork; and 2. replacing corroded or deteriorated roofing material.	
Research activity	means the use of land and buildings for the purpose of scientific research, inquiry or investigation, product development and testing, consultancy and marketing of research information including: a. laboratories; b. quarantine facilities; c. pilot plant facilities; d. workshops; and e. ancillary activity including offices, food and beverage activity, childcare services, training and education facilities, conference and function facilities, and care-taker accommodation.	
Reserve management plan	means a plan prepared under section 41 of the Reserves Act 1977.	
Residential activity	means the use of land and building(s) for people's living accommodation.	NPS definition
Residential unit	means a building(s) or part of a building that is used for a residential activity exclusively by one household, and must include sleeping, cooking, bathing and toilet facilities.	NPS definition
Residual risk	means, in relation to the Hazardous Substances chapter, any risk of an adverse effect after other industry controls, legislation and regulations, including the Hazardous Substances and New Organisms Act 1996, the Land Transport Act 1998, the Health and Safety at Work (Hazardous Substances) Regulations 2017, and regional planning instruments have been complied with.	
Restoration	means the rehabilitation of sites, habitats or ecosystems to support indigenous flora and fauna, ecosystem functions and natural processes that would naturally occur in the ecosystem and locality.	
Retail activity	means activities where the primary business is displaying and/or offering goods for sale or hire to the general public.	
Retirement village	means a managed comprehensive residential complex or facilities used to provide residential accommodation for people who are retired and any spouses or partners of such people. It may also include any of the following for residents within the complex: recreation, leisure, supported residential care, welfare and medical facilities (inclusive of hospital care) and other non-residential activities.	NPS definition

Reverse sensitivity	means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained.	
Right-of-way	means an easement granting rights to pass over another person's land, and for the purposes of this plan, shall include: <ul style="list-style-type: none"> a. an access allotment; and b. a common area as identified on a cross-lease or unit title plan. 	
Riparian margin	means all landward property which is within: <ul style="list-style-type: none"> a. 20m of a river whose bed has an average width of 3m or more, where the river flows through or adjoins an allotment; or b. 5m of a river whose bed has an average width of less than 3m, where the river flows through or adjoins an allotment. 	
River	has the same meaning as in section 2 of the RMA: means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).	<u>NPS definition</u>
Road	has the same meaning as in section 2 of the RMA: has the same meaning as in section 315 of the Local Government Act 1974; and includes a motorway as defined in section 2(1) of the Government Roding Powers Act 1989 Section 315 of the Local Government Act 1974 road definition: road means the whole of any land which is within a district, and which— <ul style="list-style-type: none"> a. immediately before the commencement of this Part was a road or street or public highway; or b. immediately before the inclusion of any area in the district was a public highway within that area; or c. is laid out by the council as a road or street after the commencement of this Part; or d. is vested in the council for the purpose of a road as shown on a deposited survey plan; or 	<u>NPS definition</u>

- e. is vested in the council as a road or street pursuant to any other enactment;—
- f. and includes—
- g. except where elsewhere provided in this Part, any access way or service lane which before the commencement of this Part was under the control of any council or is laid out or constructed by or vested in any council as an access way or service lane or is declared by the Minister of Works and Development as an access way or service lane after the commencement of this Part or is declared by the Minister of Lands as an access way or service lane on or after 1 April 1988:
- h. every square or place intended for use of the public generally, and every bridge, culvert, drain, ford, gate, building, or other thing belonging thereto or lying upon the line or within the limits thereof;—

but, except as provided in the Public Works Act 1981 or in any regulations under that Act, does not include a motorway within the meaning of that Act or the Government Roding Powers Act 1989 Section 2(1) of the Government Roding Powers Act 1989 motorway definition motorway—

- a. means a motorway declared as such by the Governor-General in Council under section 138 of the Public Works Act 1981 or under section 71 of this Act; and
- b. includes all bridges, drains, culverts, or other structures or works forming part of any motorway so declared; but
- c. does not include any local road, access way, or service lane (or the supports of any such road, way, or lane) that crosses over or under a motorway on a different level.

<p>Root protection area</p>	<p>means for a tree with a spreading canopy, the area beneath the canopy spread of a tree, measured at ground level from the surface of the trunk, with a radius to the outer most extent of the spread of the tree's branches, and for a columnar tree, means the area beneath the canopy extending to a radius half the height of the tree.</p> <p>Diagram 1: Root protection area for Spreading canopy and Columnar canopy.</p> 
<p>Rural activities other than primary production</p>	<p>means the use of land and/or buildings for rural activities other than primary production, including:</p> <ol style="list-style-type: none"> a. equestrian activities; b. stock sale yards.
<p>Rural industry</p>	<p>means an industry or business undertaken in a rural environment that directly supports, services, or is dependent on primary production.</p> <p style="text-align: right;"><u>NPS definition</u></p>
<p>Sensitive activity</p>	<p>means:</p> <ol style="list-style-type: none"> a. residential activity; b. marae; c. hospital; d. healthcare activity; e. educational facility; f. retirement village; g. visitor accommodation activity; or h. place of worship.
<p>Service station</p>	<p>means a vehicle orientated facility where the principal activity is the refuelling of motorised vehicles and the sale of products and services associated with fuels and/or motor vehicles including lubricating oils, kerosene, LPG, spare parts, carwash facilities. It may include ancillary activities such as the sale of food and beverage and trailer hire.</p>
<p>Setback</p>	<p>means the distance between a structure or activity and the boundary of its site, or other feature specified in the Plan.</p>
<p>Sewage</p>	<p>means human excrement and urine.</p> <p style="text-align: right;"><u>NPS definition</u></p>

Show home	means a residential building and land which displays the design, construction materials, and building techniques available to potential house buyers including outside living areas and gardens. Includes an accessory office to the show home.	
Sign	means any device, character, graphic or electronic display, whether temporary or permanent; which <ul style="list-style-type: none"> a. is for the purposes of— <ul style="list-style-type: none"> i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; and b. is projected onto, or fixed or attached to, any, structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice. 	<u>NPS definition</u>
Significant natural area	means an area of significant indigenous vegetation or significant habitat of indigenous fauna identified in SCHED7 - Significant Natural Areas.	
Site	means: <ul style="list-style-type: none"> a. an area of land comprised in a single record of title as per Land Transfer Act 2017; or b. an area of land which comprises two or more adjoining legally defined allotments in such a way that the allotments cannot be dealt with separately without the prior consent of the council; or c. the land comprised in a single allotment or balance area on an approved survey plan of subdivision for which a separate record of title as per Land Transfer Act 2017 could be issued without further consent of the Council; or d. except that in relation to each of sub clauses (a) to (c), in the case of land subdivided under the Unit Title Act 1972 or 2010 or a cross lease system, a site is the whole of the land subject to the unit development or cross lease. 	<u>NPS definition</u>
Small scale renewable energy	means systems or equipment that generates electricity from renewable sources for the purpose of using electricity on a particular site (single household, business premise or	

generation activity	network utility) with or without exporting back into the distribution network.	
Soft engineering measures	means a form of hazard mitigation that uses natural elements to provide protection to private properties, public space and infrastructure. It includes sacrificial fill, vegetation planting, beach nourishment and dune restoration.	
Special amenity landscapes	means an area of landscape value identified in SCHED10 - Special Amenity Landscapes.	
Special audible characteristic	has the same meaning as 'special audible characteristic' in section 6.3 of New Zealand Standard 6802:2008 Acoustics – Environmental Noise.	<u>NPS definition</u>
Sport and recreation activity	means the use of land, the surface of waterbodies and/or buildings and structures for the purpose of the active or passive enjoyment of recreation or leisure activity, including organised sport whether competitive or non-competitive.	
Sport and recreation facility	means any facility and associated structures used for organized sport, recreation activities, tournaments and sports education. It includes: a. parks; b. playgrounds; c. sportsgrounds; It excludes: a. major sports facilities.	
Statutory agency	means: a. a central government agency; b. Greater Wellington Regional Council; and c. Porirua City Council.	
Stormwater	means run-off that has been intercepted, channelled, diverted, intensified or accelerated by human modification of a land surface, or run-off from the surface of any structure, as a result of precipitation and includes any contaminants contained within.	<u>NPS definition</u>
Structure	has the same meaning as in section 2 of the RMA: means any building, equipment, device, or other facility, made by people and which is fixed to land; and includes any raft.	<u>NPS definition</u>
Subdivision	has the same meaning as "subdivision of land" in section 218 of the RMA: means— a. the division of an allotment— i. by an application to the Registrar-General of Land for the issue of a	<u>NPS definition</u>

	<p>separate certificate of title for any part of the allotment; or</p> <p>ii. by the disposition by way of sale or offer for sale of the fee simple to part of the allotment; or</p> <p>iii. by a lease of part of the allotment which, including renewals, is or could be for a term of more than 35 years; or</p> <p>iv. by the grant of a company lease or cross lease in respect of any part of the allotment; or</p> <p>v. by the deposit of a unit plan, or an application to the Registrar-General of Land for the issue of a separate certificate of title for any part of a unit on a unit plan; or</p> <p>b. an application to the Registrar-General of Land for the issue of a separate certificate of title in circumstances where the issue of that certificate of title is prohibited by section 226.</p>
<p>Supermarket</p>	<p>means a retail shop selling a wide range of foodstuffs and non-food grocery items for consumption and use off-site, where foodstuffs comprise more than 90 <u>80</u>²⁹ percent of the total retail floor space. Foodstuffs include:</p> <p>a. fresh produce, meat, fish and dairy; and</p> <p>b. chilled, frozen, packaged, canned and bottled foodstuffs and beverages.</p> <p>Non-food grocery items include:</p> <p>a. cooking, cleaning and washing products;</p> <p>b. kitchenwares; and</p> <p>c. toiletries; and</p> <p>d. <u>pharmacy</u>³⁰</p> <p><u>For the purposes of this definition retail floor space does not include:</u></p> <ul style="list-style-type: none"> • <u>storerooms;</u> • <u>back of house including delivery areas;</u> • <u>trolley storage areas;</u> • <u>entrance lobbies;</u> • <u>behind counter areas; and</u> • <u>checkouts.</u>³¹
<p>Support structure</p>	<p>means any mast, tower, pole or similar structure used or intended to be used for the support of lighting devices, lightning rods, signs, aerials, antennas or lines.</p>

²⁹ Woolworths [120.2], Foodstuffs [122.4]

³⁰ Ibid

³¹ Ibid

Supported residential care activities	means land and buildings in which residential accommodation, supervision, assistance, care and/or support are provided by another person or agency for residents.	
Sustainable management	has the same meaning as in section 5 of the RMA: means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety while— a. sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and b. safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and c. avoiding, remedying, or mitigating any adverse effects of activities on the environment.	NPS definition
Swale	means an area of land that has been shaped to allow a watercourse to form during stormwater collection.	
Tangata whenua	Has the same meaning as in section 2 of the RMA: In relation to a particular area, means the iwi, or hapū, that holds mana whenua over that area.	
Technician arborist	means a person who: a. by possession of a recognised arboricultural degree or diploma and on the job experience, is familiar with the tasks, equipment and hazards involved in arboricultural operations; and b. has demonstrated proficiency in tree inspection and evaluating and treating hazardous trees including experience in the use of industry recognised risk-assessment methods; and c. has demonstrated competency to Level 6 New Zealand Diploma in Arboriculture standard (or to an equivalent arboricultural standard).	
Telecommunication	has the same meaning as given in section 5 of the Telecommunications Act 2001: means the conveyance by electromagnetic means from one device to another of any encrypted or non-encrypted sign, signal, impulse, writing, image, sound, instruction, information, or intelligence of any nature, whether for the information of any person using the device or not.	
Telecommunication pole	means a pole, mast, lattice tower, or similar structure, of a kind that is able to be used (with or without modification) to support antennas.	

Temporary activity	<p>means activities and their ancillary buildings and structures that are intended to have a limited duration and incidence, and are not part of a permanent activity that occurs on the site.</p> <p>They include:</p> <ul style="list-style-type: none"> a. fairs; festivals and special events; b. commercial filming or video production activities; c. public firework displays; d. site offices for construction projects; e. temporary farmers or crafts markets. 	
Temporary infrastructure	<p>means infrastructure established on a temporary basis intended to provide services, or supplement existing services, for a defined or undefined period of time, where:</p> <ul style="list-style-type: none"> a. there is or will be a disruption to necessary services provided by existing infrastructure as a result of unforeseen circumstances or planned maintenance or upgrading; or b. the temporary infrastructure is to provide necessary services in advance of the provision of permanent infrastructure. 	
Temporary military training activity	<p>means a temporary activity undertaken for the training of any component of the New Zealand Defence Force (including with allied forces) for any defence purpose. Defence purposes are those purposes for which a defence force may be raised and maintained under section 5 of the Defence Act 1990 which are:</p> <ul style="list-style-type: none"> a. the defence of New Zealand, and of any area for the defence of which New Zealand is responsible under any Act; b. the protection of the interests of New Zealand, whether in New Zealand or elsewhere; c. the contribution of forces under collective security treaties, agreements, or arrangements; d. the contribution of forces to, or for any of the purposes of, the United Nations, or in association with other organisations or States and in accordance with the principles of the Charter of the United Nations; e. the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency; f. the provision of any public service. 	<u>NPS definition</u>
Temporary sign	<p>means a sign for any purpose but for a short duration.</p>	
Territorial authority	<p>has the same meaning as in section 5 of the Local Government Act:</p>	<u>NPS definition</u>

	means a city council or a district council named in Part 2 of Schedule 2.
Tertiary education services	means a facility used for education at a post-secondary level, and associated secondary-tertiary programmes (section 10 of the Education and Training Act 2020 31A-L of the Education Act 1989) ^{32,33} It includes: <ul style="list-style-type: none"> a. universities; b. polytechnics and institutes of technology; c. teachers' and other specialist colleges; d. any other institution within the meaning of tertiary education organisation included in section 10 of the Education and Training Act 2020 section 159 of the Education Act 1989; and^{34,35} e. ancillary accommodation, administrative, cultural, health, retail and communal facilities.
Three waters network	means the reticulated water network, the reticulated wastewater network and stormwater management systems.
Tower	has the same meaning as given in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: <ul style="list-style-type: none"> a. means a steel-lattice structure that supports conductors as part of a transmission line; and b. includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations.
Townhouses	means any multi-unit housing development in which each unit extends to the ground level, has its own entry from the ground, and is joined with other units. It includes terraced housing and cluster housing types.
Trade supplier	means a business engaged in sales to businesses and institutional customers (but may also include sales to the general public) and consists only of suppliers of goods in one or more of the following categories: <ul style="list-style-type: none"> a. automotive and/or marine suppliers; b. building suppliers; c. catering equipment suppliers; d. farming and agricultural suppliers; e. garden and patio suppliers; f. hire services (except hire or loan of books, videos, DVDs and other similar home entertainment items); g. industrial clothing and safety equipment suppliers; and h. office furniture, equipment and systems suppliers.

³² Kāinga Ora [81.172]³³ Kāinga Ora [81.903]³⁴ Kāinga Ora [81.172]³⁵ Kāinga Ora [81.903]

Traffic movement	means a single journey to or from a site by a motor vehicle.
Traffic sign	means a device erected by, or at the direction of, a road controlling authority used on a road for the purpose of traffic control; and includes any: <ul style="list-style-type: none"> a. sign, signal, or notice; b. traffic calming device; and c. marking or road surface treatment.
Transmission line	has the same meaning as in section 3 of the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations 2009: <ul style="list-style-type: none"> a. means the facilities and structures used for, or associated with, the overhead or underground transmission of electricity in the National Grid; and b. includes transmission line support structures, telecommunication cables, and telecommunication devices to which paragraph a) applies; but c. does not include an electricity substation.
Transport network	means all public rail, public roads, public pedestrian and cycling facilities, public transport and associated public infrastructure. It includes: <ul style="list-style-type: none"> 1. train stations; 2. bus stops; 3. bus shelters; and 4. park and ride areas serving train stations.
Trenching	means the excavation of trenches for underground infrastructure, including the Three Waters Network, communications, electricity and gas transmission and distribution, and any other network utilities.
Upgrading	As it applies to infrastructure, means the improvement or increase in carrying capacity, operational efficiency, security or safety of existing infrastructure, but excludes maintenance and repair.
Upward light ratio	means the proportion of luminous flux emitted by a luminaire above the horizontal plane.
Urban zones	means the following zones: <ul style="list-style-type: none"> a. City Centre Zone; b. General Industrial Zone; c. General Residential Zone; d. Hospital Zone; e. Large Format Retail Zone; f. Local Centre Zone; g. Medium Density Residential Zone; h. Mixed Use Zone; i. Neighbourhood Centres Zone; and j. Sport and Recreation Zone.
Vehicle access	mean an access designed and constructed for use by motor vehicles, pedestrians and cyclists.

Vehicle crossing	means a facility for vehicle access between a road carriageway and a site boundary. It includes any culvert, bridge or kerbing.	
Veranda sign	means any sign that is attached to the underside of a building's veranda or fascia.	
Visitor accommodation	means land and/or buildings used for accommodating visitors, subject to a tariff being paid, and includes any ancillary activities.	NPS definition
Waste management facility	means facility used for receiving waste for transfer, treatment, disposal, or temporary storage. It includes: a. refuse transfer stations; and b. recycling. It excludes: a. landfills.	
Wastewater	means any combination of two or more the following wastes: sewage, greywater or industrial and trade waste.	NPS definition
Water	has the same meaning as in section 2 of the RMA: a. means water in all its physical forms whether flowing or not and whether over or under the ground: b. includes fresh water, coastal water, and geothermal water: c. does not include water in any form while in any pipe, tank, or cistern.	NPS definition
Waterbody	has the same meaning as in section 2 of the RMA: means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.	NPS definition
Wet abrasive blasting	means abrasive blasting using material to which water has been added.	NPS definition
Wetland	has the same meaning as in section 2 of the RMA: includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.	NPS definition
Works arborist	means a person who: a. by possession of a recognised arboricultural degree, diploma or certificate and on the job experience, is	

familiar with the tasks, equipment and hazards involved in arboricultural operations; and
b. has demonstrated competency to Level 4 New Zealand Certificate in Horticulture Services (Arboriculture) standard (or to an equivalent arboricultural standard).

Appendix B. Recommended Responses to Submissions and Further Submissions

The recommended responses to the submissions made on this topic are presented in Table B 1 below.

Table B 1: Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
Definitions Nesting Tables							
9.1	Bunnings Limited	General	Retain definition nesting tables as notified	n/a	Accept in part	Accept in part, subject to the amendments made in response to other submissions	No
122.1	Foodstuffs	General	Retain definitions nesting tables	n/a	Accept in part	Accept in part, subject to the amendments made in response to other submissions	No
9.3	Bunnings Limited	Retail activities	Amend the nested term of 'retail activities' to specifically include 'trade supplier' as given below. Retail activities <ul style="list-style-type: none"> • Clothing and footwear • Homeware • Jewellery • Antiques, used goods and charity shops • Recreational goods and sports stores • Electrical goods • Dairies • Bakeries • <u>Trade supplier</u> 	3.5	Reject	See body of the report	No
122.2	Foodstuffs	Retail activities	Amend the nested term of 'retail activities' to specifically include 'large format retail activities' or 'supermarkets' Retail activities <ul style="list-style-type: none"> • Clothing and footwear • Homeware • Jewellery • Antiques, used goods and charity shops • Recreational goods and sports stores • Electrical goods • Dairies • Bakeries • <u>Supermarkets</u> 	3.5	Reject	See body of the report	No
122.3 ³⁶	Foodstuffs	Large format retail activities	Amend the 'large format retail activities' nesting table to remove supermarkets, as follows: Large format retail activities <ul style="list-style-type: none"> • Integrated retail activity • <u>Supermarkets</u> 	3.5	Reject	See body of the report	No

³⁶ Supports-Kāinga Ora [FS65.40]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
135.1 ³⁷	Department of Corrections	Residential	Add "supported residential care activities" to the Residential nesting table	3.5	Accept	See body of the report	Yes
143.2 ³⁸	Oranga Tamariki	Residential	Amend the nesting table to include 'supported residential car activities' as follows: Residential Residential activities Residential units Minor residential units <u>Supported residential care activities</u>	3.5	Accept	See body of the report	Yes
124.1	NZDF	Temporary	Remove TMTA from the nesting table for 'temporary activity'. Amend the 'temporary' nesting table so that it appears as follows: Temporary Temporary activities Temporary military training activity Remove the hyperlinked cross-reference to the definition of "temporary activity" that is currently set out in the TMTA definition.	3.5	Accept	See body of the report	Yes
124.2	NZDF	Temporary Military Training Activity	Retain definition as currently drafted subject to the relief sought for the related nesting table.	3.5	Accept	See body of the report	Yes
9.2	Bunnings Limited	Trade suppliers	Retain 'trade supplier' nesting table as notified.	n/a	Accept	Agree with submitter	No
Definitions – general submissions and requested new definitions							
81.929	Kāinga Ora	General	Amendments are required to a number of proposed additional definitions introduced in the PDP and to definitions that state they are utilised from the National Planning Standards where additional terms have been drafted into the wording of the definition in the PDP.	3.2	Accept in Part	See body of the report	Yes
82.295	Waka Kotahi	General	Amendments to the definitions chapter to provide greater clarity to Plan users and supporting the use of National Planning Standards definitions.	3.2	Accept in Part	See body of the report	Yes
262.1	Fulton and Hogan	General	Supportive of the use of NPS standards for key definitions of relevance to the operations and activities of Fulton Hogan.	3.2	Accept in Part	See body of the report	No
225.52	Forest and Bird	General	Use different acronyms to distinguish between the National Planning Standards and a National Policy Statement. For example, "NPStds"	3.2	Accept in Part	See body of the report	Yes

³⁷ Supports-Kāinga Ora [FS65.29]³⁸ Supports-Kāinga Ora [FS65.29]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
167.1 ³⁹	House Movers Association	New	<p>Include new definitions as follows:</p> <p>Relocation Includes any building that is removed from one site and relocated to another site, in whole or in parts. It excludes any new building which is designed for, or intended to be used on, a site but which is constructed or prefabricated off-site, in whole or in parts, and transported to the site.</p> <p>Removal Means the shifting of a building off a site and excludes demolition of a building.</p> <p>Re-siting Means shifting a building within a site.</p>	3.3	Accept in Part	See body of the report	No
Definitions – submissions seeking deletion of definitions							
81.27	Kāinga Ora	Addition	<p>Delete definition:</p> <p>Addition means any works undertaken to an existing building which has the effect of increasing the gross floor area of that building.</p>	3.4	Reject	See body of the report	No
FS40.49	GWRC		<p><i>Oppose deletion. Term is used in Natural Hazards provisions and specifically relates to an increase in floor area, which is relevant to natural hazards. Any other additions which may be included in the common meaning of the word are not relevant and so need to be excluded from the concept of 'addition'</i></p>				
81.30	Kāinga Ora	Alteration	<p>Delete definition:</p> <p>Alteration means any work to existing buildings or structures which involves the change, removal or replacement of walls, windows or features which results in an external appearance different to its existing appearance.</p>	3.4	Reject	See body of the report	No
FS14.5	Heritage NZ		<p><i>Support deletion. Alteration is an important concept for heritage provisions and the PDP includes a definition of 'Heritage Alteration'. with regard to heritage matters, a definition of 'alteration' is not necessary.</i></p>				
81.39	Kāinga Ora	Boundary	<p>Delete definition:</p> <p>Boundary means the legal perimeter of a site.</p>	3.4	Reject	See body of the report	No
81.53	Kāinga Ora	Contractors yard	<p>Delete definition:</p> <p>Contractors yard means a yard based depot where there is storage of machinery and materials, plus ancillary buildings, for the purpose of operating a contracting business, including:</p> <p>a. earthmoving;</p> <p>b. scaffolding;</p> <p>c. construction; and</p>	n/a	Accept	Agree with submitter	Yes

³⁹Supports-Heritage NZ [FS14.4]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			d. roading and other infrastructure.				
81.121	Kāinga Ora	Overlay	Delete definition: Overlay means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions, as set out in Schedules 2 to 11 and the Natural Hazard Overlay and Coastal Hazard Overlay.	3.4	Reject	See body of the report	No
FS14.10	Heritage NZ		<i>Oppose deletion. Note that the term 'overlay' is used throughout the plan and if deleted each reference to overlay would need to refer in full to all the spatially identified sites and areas.</i>				
225.66	Forest and Bird	Overlay	means the spatially identified sites, items, features, settings or areas with distinctive values, risks or other factors within the City which require management in a different manner from underlying zone provisions. <u>The overlays for Porirua are, as set out in Schedules:</u> <u>SCHED2 Historic Heritage Items (Group A)</u> <u>SCHED3 Historic Heritage Items (Group B)</u> <u>SCHED4 Historic Heritage Sites</u> <u>SCHED5 Notable Trees</u> <u>SCHED6 Sites and Areas of Significance to Māori</u> <u>SCHED7 Significant Natural Areas</u> <u>SCHED8 Urban Environment Allotments</u> <u>SCHED9 Outstanding Natural Features and Landscapes</u> <u>SCHED10 Special Amenity Landscapes</u> <u>SCHED to 11 Coastal High Natural Character Areas</u> and the Natural Hazard Overlay and Coastal Hazard Overlay. <u>All overlays are shown on the Planning maps and managed through provisions in the district wide chapters.</u>	3.4	Accept in Part	See body of the report	No
81.152	Kāinga Ora	Setback	Delete definition Setback means the distance between a structure or activity and the boundary of its site, or other feature specified in the Plan.	3.4	Reject	See body of the report	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
225.72 ⁴⁰	Forest and Bird	Setback	Amend the definition to clarify the meaning of site and features, as follows (or similar): means the distance between a structure or activity and the boundary of the its-site , <u>the bed of a waterbody, an overlay</u> or other feature specified in the Plan. Or <u>In relation to a building</u> , means the distance between <u>the building a structure or activity</u> and the boundary of, <u>the its site</u> , or other <u>infrastructure feature</u> specified in the Plan	3.4	Accept in Part	See body of the report	No
Definitions – all others							
81.22	Kāinga Ora	Access	Retain as notified	n/a	Accept	Agree with submitter	No
82.3	Waka Kotahi	Access	Retain as notified	n/a	Accept	Agree with submitter	No
81.25	Kāinga Ora	Access strip	Retain as notified	n/a	Accept	Agree with submitter	No
119.5	FENZ	Accessory building	Retain as notified	n/a	Accept	Agree with submitter	No
81.28	Kāinga Ora	Advertising sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.29	Kāinga Ora	Aerials	Retain as notified	n/a	Accept	Agree with submitter	No
81.31	Kāinga Ora	Amateur radio configuration	Retain as notified	n/a	Accept	Agree with submitter	No
81.34	Kāinga Ora	Antenna	Retain as notified	n/a	Accept	Agree with submitter	No
51.17	Telco	Antenna	Retain as notified	n/a	Accept	Agree with submitter	No
121.4	RNZ	Antenna	Retain as notified	n/a	Accept	Agree with submitter	No
81.38	Kāinga Ora	Boating facility	Retain as notified	n/a	Accept	Agree with submitter	No
85.1	WE	Building	Exclude power poles, support structures and mast poles from the definition of a building as per section 9(a), (ab), (ac) of the Building Act 2004.	3.6.1	Reject	See body of the report	No
154.2	Peter Wakefield	Building	Alternative relief sought to amend the definition of "building".	3.6.1	Reject	See body of the report	No
81.40	Kāinga Ora	Building platform	Retain as notified	n/a	Accept	Agree with submitter	No
81.41	Kāinga Ora	Cabinet	Retain as notified	n/a	Accept	Agree with submitter	No
85.2	WE	Cabinet	Retain as notified	n/a	Accept	Agree with submitter	No
51.12	Telco	Cabinet	Retain as notified	n/a	Accept	Agree with submitter	No
81.42	Kāinga Ora	Childcare services	Amend definition: Childcare services means the care <u>and /</u> or education of children and includes: <u>but is not limited to</u> : a. creches; b. early childhood centres; c. day care centres; d. kindergartens; e. Kohanga Reo;	3.6.2	Accept in Part	See body of the report	Yes

⁴⁰ Oppose - Kāinga Ora [FS65.62]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			f. playgroups; g. day nurseries; and h. home based childcare and education activities.				
134.1	Ministry of Education	Childcare services	Retain as notified	n/a	Accept in part	Accept in part, subject to the amendments made in response to other submissions.	No
264.83	TROTR	Childcare services	Retain as notified subject to the following amendment: Childcare Services - means the care or education of children and includes: Add: j) <u>Puna Reo</u>	3.6.2	Accept	See body of the report	Yes
262.7	Fulton Hogan	Cleanfill area	Retain as notified	n/a	Accept	Agree with submitter	No
164.1	Willowbank Trustee Limited	Cleanfill area	Retain as notified	n/a	Accept	Agree with submitter	No
104.17	Aggregate and Quarry Association	Cleanfill area	Retain as notified	n/a	Accept	Agree with submitter	No
104.18	Aggregate and Quarry Association	Cleanfill material	Retain as notified	n/a	Accept	Agree with submitter	No
164.2	Willowbank Trustee Limited	Cleanfill material	Retain as notified	n/a	Accept	Agree with submitter	No
262.8	Fulton Hogan	Cleanfill material	Retain as notified	n/a	Accept	Agree with submitter	No
81.47	Kāinga Ora	Coastal marine area	Retain as notified	n/a	Accept	Agree with submitter	No
81.48	Kāinga Ora	Commercial service activity	Amend definition: Commercial service activity means any activity that provides trades in commercial services rather than goods. It includes: a. bank; b. commercial indoor fitness centres/gymnasiums/play areas; c. professional and financial services; d. commercial sexual services; e. dry cleaner; f. funeral director premises; g. hair dresser; h. real estate agent; i. show home; j. travel agent; and k. veterinary clinic	n/a	Accept	Agree with submitter	Yes
135.3	Department of Corrections	Community corrections activity	Retain as notified	n/a	Accept	Agree with submitter	No
264.83	TROTR	Community corrections activity	Add Marae	3.6.3	Reject	See body of the report	No
81.52	Kāinga Ora	Community garden	Retain as notified	n/a	Accept	Agree with submitter	No
81.53	Kāinga Ora	Contractor's yard	Delete definition:	n/a	Accept	Agree with submitter	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Contractors yard means a yard based depot where there is storage of machinery and materials, plus ancillary buildings, for the purpose of operating a contracting business, including: a. earthmoving; b. scaffolding; c. construction; and d. roading and other infrastructure.				
83.2	Powerco Limited	Construction activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.56	Kāinga Ora	Construction activity	Retain as notified	n/a	Accept	Agree with submitter	No
60.3	Transpower	Construction activity	Retain as notified	n/a	Accept	Agree with submitter	No
225.59 ^{41,42}	Forest and Bird	Construction activity	Delete Replace references to this term with the specific activities intended to be captured.	3.6.4	Reject	See body of the report	No
81.56	Kāinga Ora	Customer connection line	Retain as notified	n/a	Accept	Agree with submitter	No
51.3	Telco	Customer connection line	Retain as notified	n/a	Accept	Agree with submitter	No
81.57	Kāinga Ora	Development area	Retain as notified	3.6.5	Accept	See body of the report	No
225.60	Forest and Bird	Development area	Retain as notified. Make changes to provisions to ensure that provision for development within an Development Area is within environmental limits which ensures the protection and maintenance of indigenous biodiversity.	3.6.5	Accept in part	See body of the report	No
81.58	Kāinga Ora	Digital sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.59	Kāinga Ora	Directional sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.60	Kāinga Ora	Drive-through activity	Retain as notified	n/a	Accept	Agree with submitter	No
92.11	Z Energy Limited	Drive-through activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.61	Kāinga Ora	Drive-through restaurant	Retain as notified	n/a	Accept	Agree with submitter	No
134.2	Ministry of Education	Educational facility	Retain as notified	n/a	Accept	Agree with submitter	No
81.62	Kāinga Ora	Election sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.63	Kāinga Ora	Emergency service facilities	Retain as notified	n/a	Accept	Agree with submitter	No
119.6	FENZ	Emergency service facilities	Retain as notified	n/a	Accept	Agree with submitter	No

⁴¹ Oppose-Transpower [FS04.13]

⁴² Oppose-Kāinga Ora [FS65.36]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.64	Kāinga Ora	Entertainment and hospitality activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.65	Kāinga Ora	Entertainment facility	Retain as notified	n/a	Accept	Agree with submitter	No
82.6	Waka Kotahi	Environment	Retain as notified	n/a	Accept	Agree with submitter	No
81.67	Kāinga Ora	Food and beverage activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.68	Kāinga Ora	Free standing sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.69	Kāinga Ora	Freight depot	Retain as notified	n/a	Accept	Agree with submitter	No
83.3 ⁴³	Powerco Limited	Functional need	Retain as notified	n/a	Accept	Agree with submitter	No
60.5 ⁴⁴	Transpower	Functional need	Retain as notified	n/a	Accept	Agree with submitter	No
84.2	Firstgas Limited	Gas transmission network	Retain as notified	n/a	Accept	Agree with submitter	No
81.70 ⁴⁵	Kāinga Ora	Gas transmission network	Retain as notified	n/a	Accept	Agree with submitter	No
84.3	Firstgas Limited	Gas transmission pipeline	Retain as notified	n/a	Accept	Agree with submitter	No
81.72	Kāinga Ora	Golf course	Retain as notified	n/a	Accept	Agree with submitter	No
72.1	Survey+Spatial	Ground level	Retain as notified	n/a	Accept	Agree with submitter	No
134.3	Ministry of Education	Habitable room	Retain as notified	n/a	Accept	Agree with submitter	No
119.7	FENZ	Habitable room	Retain as notified	n/a	Accept	Agree with submitter	No
81.74	Kāinga Ora	Healthcare activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.76	Kāinga Ora	Heritage item	Retain as notified	n/a	Accept	Agree with submitter	No
81.77	Kāinga Ora	Heritage restoration	Retain as notified	n/a	Accept	Agree with submitter	No
81.78	Kāinga Ora	Heritage setting	Retain as notified	n/a	Accept	Agree with submitter	No
81.81	Kāinga Ora	Hospital	Retain as notified	n/a	Accept	Agree with submitter	No
81.84	Kāinga Ora	Illuminated sign	Retain as notified	n/a	Accept	Agree with submitter	No
82.11	Waka Kotahi	Illuminated sign	Retain as notified	n/a	Accept	Agree with submitter	No
51.9	Telco	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
60.6	Transpower New Zealand Ltd	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
81.86	Kāinga Ora	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
82.12	Waka Kotahi	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
83.85	Powerco Limited	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
86.2	KiwiRail	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
121.5	RNZ	Infrastructure	Retain as notified	n/a	Accept	Agree with submitter	No
81.87	Kāinga Ora	Integrated retail activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.89	Kāinga Ora	Intersection	Retain as notified	n/a	Accept	Agree with submitter	No
81.90	Kāinga Ora	Investigation activities	Retain as notified	n/a	Accept	Agree with submitter	No
81.91	Kāinga Ora	Iwi authority	Retain as notified	n/a	Accept	Agree with submitter	No
81.92	Kāinga Ora	Kaitiakitanga	Retain as notified	n/a	Accept	Agree with submitter	No
60.7	Transpower	Land disturbance	Retain as notified	n/a	Accept	Agree with submitter	No

⁴³ Support-Firstgas Ltd [FS63.1]⁴⁴ Support-Firstgas Ltd [FS63.2]⁴⁵ Support-Firstgas Ltd [FS63.3]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.93	Kāinga Ora	Landscaped area	Retain as notified	n/a	Accept	Agree with submitter	No
81.94	Kāinga Ora	Large format retail activity	Amend definition: Large format retail activity means any individual retail activity / <u>tenancy</u> with a store or individual tenancy exceeding 450m2 gross floor area. <u>It does not include supermarkets.</u>	3.6.6	Reject	See body of the report	No
144.5	Harvey Norman	Large format retail activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.97	Kāinga Ora	Licensed amateur radio operator	Retain as notified	n/a	Accept	Agree with submitter	No
81.98	Kāinga Ora	Light industrial activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.102	Kāinga Ora	Major sports facility	Retain as notified	n/a	Accept	Agree with submitter	No
81.103	Kāinga Ora	Mana whenua	Retain as notified	n/a	Accept	Agree with submitter	No
81.104	Kāinga Ora	Meteorological activities	Retain as notified	n/a	Accept	Agree with submitter	No
81.105	Kāinga Ora	Mining	Retain as notified	n/a	Accept	Agree with submitter	No
119.8	FENZ	Minor residential unit	Retain as notified	n/a	Accept	Agree with submitter	No
119.10	FENZ	Natural hazard	Retain as notified	n/a	Accept	Agree with submitter	No
81.114 ⁴⁶	Kāinga Ora	Net site area	Amend definition: Net site area means the total area of the site, but excludes: a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; c. any part of the site used for access to the site; — d. c. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.	n/a	Accept	Agree with submitter. This is a National Planning Standards definition and no amendments are permitted.	Yes
72.8 ^{47,48}	Survey+Spatial	Net site area	Remove exclusion 'c'.	n/a	Accept	See 81.114	Yes
51.4	Telco	Network utility operator	Retain as notified	n/a	Accept	Agree with submitter	No
83.7 ⁴⁹	Powerco Limited	Network utility operator	Retain as notified	n/a	Accept	Agree with submitter	No
85.4	WE	Network utility operator	Retain as notified	n/a	Accept	Agree with submitter	No
121.7	RNZ	Network utility operator	Retain as notified	n/a	Accept	Agree with submitter	No
81.116	Kāinga Ora	Office	Amend definition:	3.6.7	Reject	See body of the report	No

⁴⁶ Support-Survey+Spatial [FS67.3]

⁴⁷ Support-Kāinga Ora [FS65.48]

⁴⁸ Support-Kenepuru Limited Partnership [FS20.13]

⁴⁹ Support-Firstgas Ltd [FS63.8]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
			Office means an activity conducted within a building and focusing on business, government, professional or financial services and includes the personal service elements of these activities, <u>but excludes home business and administration areas associated with supported residential care activities.</u>				
81.118	Kāinga Ora	On-site transport facilities	Retain as notified	n/a	Accept	Agree with submitter	No
81.119	Kāinga Ora	Operating speed	Retain as notified	n/a	Accept	Agree with submitter	No
82.19	Waka Kotahi	Operating speed	Retain as notified	n/a	Accept	Agree with submitter	No
83.8 ⁵⁰	Powerco Limited	Operational need	Retain as notified	n/a	Accept	Agree with submitter	No
60.12 ⁵¹	Transpower	Operational need	Retain as notified	n/a	Accept	Agree with submitter	No
119.11	FENZ	Operational need	Retain as notified	n/a	Accept	Agree with submitter	No
249.2	Te Whānau Horomona	Papakāinga	Retain as notified	n/a	Accept	Agree with submitter	No
81.122	Kāinga Ora	Papakāinga	Retain as notified	n/a	Accept	Agree with submitter	No
81.123	Kāinga Ora	Parks facilities	Retain as notified	n/a	Accept	Agree with submitter	No
81.124	Kāinga Ora	Parks furniture	Retain as notified	n/a	Accept	Agree with submitter	No
81.125	Kāinga Ora	Pedestrian and cycling access	Retain as notified	n/a	Accept	Agree with submitter	No
81.126	Kāinga Ora	Places of worship	Retain as notified	n/a	Accept	Agree with submitter	No
81.130	Kāinga Ora	Principal building	Retain as notified	n/a	Accept	Agree with submitter	No
81.131	Kāinga Ora	Private way	Retain as notified	n/a	Accept	Agree with submitter	No
104.15	Aggregate and Quarry Association	Quarry	Retain as notified	n/a	Accept	Agree with submitter	No
164.4	Willowbank Trustee Limited	Quarry	Retain as notified	n/a	Accept	Agree with submitter	No
262.10	Fulton Hogan	Quarry	Retain as notified	n/a	Accept	Agree with submitter	No
262.11	Fulton Hogan	Quarrying activities	Retain as notified	n/a	Accept	Agree with submitter	No
164.5	Willowbank Trustee Limited	Quarrying activities	Retain as notified	n/a	Accept	Agree with submitter	No
104.16	Aggregate and Quarry Association	Quarrying activities	Retain as notified	n/a	Accept	Agree with submitter	No
81.132	Kāinga Ora	Radiocommunication	Retain as notified	n/a	Accept	Agree with submitter	No
51.5	Telco	Radiocommunication	Retain as notified	n/a	Accept	Agree with submitter	No
121.9	RNZ	Radiocommunication	Retain as notified	n/a	Accept	Agree with submitter	No
81.133	Kāinga Ora	Railway sign	Retain as notified	n/a	Accept	Agree with submitter	No
86.6	KiwiRail	Railway sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.134	Kāinga Ora	Real estate sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.135	Kāinga Ora	Redecoration	Retain as notified	n/a	Accept	Agree with submitter	No
81.136	Kāinga Ora	Refuse transfer station	Retain as notified	n/a	Accept	Agree with submitter	No
81.140	Kāinga Ora	Research activity	Retain as notified	n/a	Accept	Agree with submitter	No

⁵⁰ Support-Firstgas Ltd [FS63.9]⁵¹ Support-Firstgas Ltd [FS63.14]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.141	Kāinga Ora	Reserve management plan	Retain as notified	n/a	Accept	Agree with submitter	No
119.12	FENZ	Residential unit	Retain as notified	n/a	Accept	Agree with submitter	No
144.6	Harvey Norman	Retail activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.144	Kāinga Ora	Retail activity	Retain as notified	n/a	Accept	Agree with submitter	No
81.145	Kāinga Ora	Reverse sensitivity	Retain as notified	n/a	Accept	Agree with submitter	No
82.22 ^{52,53}	Waka Kotahi	Reverse sensitivity	Replace the definition of "Reverse Sensitivity" with the following: <p>"means the vulnerability of an existing lawfully established activity to other activities in the vicinity which are sensitive to adverse environmental effects that may be generated by such existing activity, thereby creating the potential for the operation of such existing activity to be constrained."</p> <p><u>"has the same meaning as reverse sensitivity in section 2 of the RMA:</u></p> <p><u>means the potential for the operation of an existing lawfully established activity to be compromised, constrained, or curtailed by the more recent establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse</u></p>	3.6.8	Reject	See body of the report	No
86.8 ⁵⁴	KiwiRail	Reverse sensitivity	Retain as notified	n/a	Accept	Agree with submitter	No
60.16 ⁵⁵	Transpower	Reverse sensitivity	Retain as notified	n/a	Accept	Agree with submitter	No
51.2 ⁵⁶	Telco	Reverse sensitivity	Retain as notified	n/a	Accept	Agree with submitter	No
121.11 ^{57,58}	RNZ	Reverse sensitivity	Retain a definition of "Reverse sensitivity".	3.6.8	Accept in Part	See body of the report	No
81.149	Kāinga Ora	Rural activities other than primary production	Retain as notified	n/a	Accept	Agree with submitter	No
164.6	Willowbank Trustee Limited	Rural activities other than primary production	Retain as notified	n/a	Accept	Agree with submitter	No
164.7	Willowbank Trustee Limited	Rural industry	Retain as notified	n/a	Accept	Agree with submitter	No
81.151	Kāinga Ora	Service station	Retain as notified	n/a	Accept	Agree with submitter	No
81.153	Kāinga Ora	Show home	Retain as notified	n/a	Accept	Agree with submitter	No
81.158	Kāinga Ora	Sport and recreation activity	Retain as notified	n/a	Accept	Agree with submitter	No

⁵² Support-RNZ [FS60.41]

⁵³ Support-Kāinga Ora [FS65.55]

⁵⁴ Support-Kāinga Ora [FS65.56]

⁵⁵ Support-Kāinga Ora [FS65.57]

⁵⁶ Support-Kāinga Ora [FS65.58]

⁵⁷ Support-Kāinga Ora [FS65.59]

⁵⁸ Oppose-GWRC [FS40.105]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
81.159	Kāinga Ora	Sport and recreation facility	Retain as notified	n/a	Accept	Agree with submitter	No
81.160	Kāinga Ora	Statutory agency	Retain as notified	n/a	Accept	Agree with submitter	No
83.10	Powerco Limited	Structure	Retain as notified	n/a	Accept	Agree with submitter	No
81.161	Kāinga Ora	Supermarket	Retain as notified	n/a	Accept in part	Accept in part, subject to the amendments made in response to other submissions	No
122.4	Foodstuffs	Supermarket	<p>Replace the definition of 'supermarket' with the following:</p> <p><u>An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of:</u></p> <p><u>a. domestic supplies, fresh food and groceries, such as:</u></p> <ul style="list-style-type: none"> • <u>fresh meat and produce;</u> • <u>chilled, frozen, packaged, canned and bottled foodstuffs and beverages;</u> • <u>general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and cigarettes, magazine and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and</u> <p><u>b. non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to):</u></p> <ul style="list-style-type: none"> • <u>barbecue and heating fuels;</u> • <u>audio visual products;</u> • <u>electrical appliances;</u> • <u>clothing and footwear;</u> • <u>furniture; and</u> • <u>office supplies.</u> 	3.6.9	Accept in part	See body of the report	No
120.2	Woolworths	Supermarket	<p>Amend the definition to:</p> <ul style="list-style-type: none"> • Specify that total retail floor space only applies to that area of a store displaying foodstuffs and non-food grocery items. • Include pharmacy related activities. • Require foodstuffs to comprise more than 80 percent of the total retail floor space (not 90 percent as is currently proposed in the wording). 	3.6.9	Accept	See body of the report	Yes
81.162	Kāinga Ora	Support structure	Retain as notified	n/a	Accept	Agree with submitter	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
60.19	Transpower	Support structure	Retain as notified	n/a	Accept	Agree with submitter	No
81.163 ⁵⁹	Kāinga Ora	Supported residential care activities	Amend definition: Supported residential care activities means land and buildings in which residential accommodation, supervision, assistance, care and/or support are provided by another person or agency for residents. <u>It excludes retirement villages.</u>	3.6.10	Reject	See body of the report	No
143.1 ⁶⁰	Oranga Tamariki	Supported residential care activities	Retain the definition for 'supported residential care activities'.	n/a	Accept	Agree with submitter	No
135.2 ⁶¹	Department of Corrections	Supported residential care activities	Retain the definition.	n/a	Accept	Agree with submitter	No
81.165	Kāinga Ora	Tangata whenua	Retain as notified	n/a	Accept	Agree with submitter	No
81.167	Kāinga Ora	Telecommunication	Retain as notified	n/a	Accept	Agree with submitter	No
51.16	Telco	Telecommunication	Retain as notified	n/a	Accept	Agree with submitter	No
124.2	NZDF	Temporary military training activity	Retain definition as currently drafted subject to the relief sought for the related nesting table.	3.5	Accept	See body of the report	Yes
81.172	Kāinga Ora	Tertiary education services	Tertiary education services means a facility used for education at a post-secondary level, and associated secondary-tertiary programs (section 31A-L of the Education Act 1989). It includes: a. universities; b. polytechnics and institutes of technology; c. teachers' and other specialist colleges; and d. any other institution within the meaning of section 159 of the Education Act 1989; and d. ancillary accommodation, administrative, cultural, health, retail and communal facilities.	3.6.11	Accept in part	See body of the report	Yes
81.809	Kāinga Ora	General	Such other relief, or consequential or other amendments as considered appropriate and necessary to address the concerns set out in submission.	3.6.11	Accept in part	See body of the report	Yes
134.6	Ministry of Education	Tertiary education services	Retain as notified	n/a	Accept in part	Accept in part, subject to the amendments made in response to other submissions	No
81.173	Kāinga Ora	Three waters network	Retain as notified	n/a	Accept	Agree with submitter	No
81.176	Kāinga Ora	Trade supplier	Retain as notified	n/a	Accept	Agree with submitter	No
9.4	Bunnings Limited	Trade supplier	Retain as notified	n/a	Accept	Agree with submitter	No
144.7	Harvey Norman	Trade supplier	Retain as notified	n/a	Accept	Agree with submitter	No
81.177	Kāinga Ora	Traffic movement	Retain as notified	n/a	Accept	Agree with submitter	No

⁵⁹ Support-Oranga Tamariki [FS35.1]⁶⁰ Support in part-Kāinga Ora [FS65.64]⁶¹ Support in part-Kāinga Ora [FS65.6]

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to PDP?
82.26	Waka Kotahi	Traffic movement	Retain as notified	n/a	Accept	Agree with submitter	No
86.9	KiwiRail	Transport network	Retain as notified	n/a	Accept	Agree with submitter	No
82.27	Waka Kotahi	Transport network	Retain as notified	n/a	Accept	Agree with submitter	No
81.180	Kāinga Ora	Transport network	Retain as notified	n/a	Accept	Agree with submitter	No
81.183	Kāinga Ora	Upward light ratio	Retain as notified	n/a	Accept	Agree with submitter	No
81.184	Kāinga Ora	Urban zones	Retain as notified	n/a	Accept	Agree with submitter	No
81.185	Kāinga Ora	Vehicle access	Retain as notified	n/a	Accept	Agree with submitter	No
81.186	Kāinga Ora	Vehicle crossing	Retain as notified	n/a	Accept	Agree with submitter	No
81.187	Kāinga Ora	Veranda sign	Retain as notified	n/a	Accept	Agree with submitter	No
81.188	Kāinga Ora	Waste management facility	Retain as notified	n/a	Accept	Agree with submitter	No
225.79	Forest and Bird	Wetland	Retain as notified	n/a	Accept	Agree with submitter	No
216.5	QEII	Wetland	Retain as notified	n/a	Accept	Agree with submitter	No

Appendix C. Report Author's Qualifications and Experience

I hold the following qualifications: A BA(Hons) in Town & Country Planning (University of Manchester, UK), a Bachelor of Planning (with Credit) in Town & Country Planning (University of Manchester, UK) and a MSc in Environmental Assessment and Management (Oxford Brookes University, UK). I am a Chartered Town Planner and have been a Member of the Royal Town Planning Institute (UK) since 1991.

I have 32 years' experience in working as a planner for local government and the Hertfordshire Constabulary (UK). My work experience includes, amongst other matters, the interpretation and application of Regional Policy, input into statutory processes under the Resource Management Act 1991, as well as policy formulation. This includes appearing at a number of hearings (plan changes and subdivision) providing expert planning evidence on urban growth and urban form, land use-transport integration and the management of natural hazard risk. I have also been involved in Environment Court mediation involving the management of natural hazard risk.

I have been employed by the Porirua City Council since December 2017 as a Principal Policy Planner within the Environment and City Planning Team. Before then, I was employed as a:

- Strategy and Policy Planner at Selwyn District Council and where I worked on their review of the Selwyn District plan from January 2016 to November 2017; and
- Principal Planner at the Canterbury Regional Council ("CRC") and where I was employed in their District Plan Liaison team from 2008 until March 2015.

Before joining the Canterbury Regional Council in 2008, I held a number of positions, including as a Principal Planner and a team leader (consents), for various district councils in the UK. I was also employed by the Hertfordshire Police Authority as their Planning Obligations Manager, a post which involved seeking improved integration between land use planning and delivery of policing service and police infrastructure in district plans.