

## 25. Definitions

<b>Abrasive blasting</b>	means the cleaning, smoothing, roughening, cutting or removal of part of a surface or any articles by the use as an abrasive of a jet of sand, metal, shot or grit or other material propelled by a blast of compressed air or steam or water or by a wheel.
<b>Abstraction</b>	means the activity of taking water from a water body or resource.
<b>Abstraction point</b>	has the same meaning as in Regulation 3 of the Resource Management (National Environmental Standards for Sources of Human Drinking Water) Regulations 2007.
<b>Access</b>	means a practical permanent vehicular and pedestrian access from a formed road to a site over either: (a) land that is included within the site; or (b) other land pursuant to an easement of right of way running with the land and appurtenant to the site; or (c) land that is legal but unformed road.
<b>Accessible parking</b>	means parking spaces that are suitable for use by people with disabilities, particularly wheelchair users and others with mobility aids.
<b>Accessory</b>	means a separate detached building the use of which is incidental to that of the principal building or buildings or a permitted activity on the site.
<b>Act</b>	means the Resource Management Act 1991.
<b>Active recreation</b>	means the use of public open spaces used for outdoor and indoor organised sports, and community activities such as sports fields, public swimming pools, equestrian activities; hard court areas and greens. These spaces often include grandstands and clubrooms associated with these uses. Does not include any form of motorised sport, other than the use of golf carts.
<b>Addition</b>	means an extension, or increase in floor area, number of stories, or height of a building or structure. It includes the construction of new floors, walls, ceilings, and roofs.
<b>Afforestation Flow Sensitive Sites</b>	as mapped on the <i>Afforestation Flow Sensitive Sites</i> Map.
<b>Agrichemical</b>	means any substance, whether inorganic or organic, manufactured or naturally occurring, modified or in its natural state, that is used in any agriculture, horticulture, forestry, management of public amenity areas, or related activity, to eradicate, modify, or control flora or fauna. This includes agricultural compounds, but excludes fertilisers, vertebrate pest control products and oral nutrition compounds.
<b>Agricultural liquid waste</b>	means agricultural waste that does not exhibit the properties of a solid, e.g. it cannot be stacked and will not hold a definite angle of repose.

<b>Agricultural solid waste</b>	means agricultural waste that exhibits the properties of a solid, e.g., it can be stacked and hold a definite angle of repose. For the purposes of the Plan, if any waste does not meet the definition of agricultural solid waste it is treated as agricultural liquid waste.
<b>Agricultural waste</b>	means the waste from the customary and generally accepted activities, practices, and procedures that producers adopt, use, or engage in during the production and preparation for market of poultry, livestock, and associated farm products; and in the production and harvesting of agricultural crops that include agronomic, horticultural, silvicultural, viticultural and aquaculture activities. In addition, winery wastewater and grape marc constitutes agricultural waste.
<b>Allotment</b>	means an allotment as described in Section 218(2) of the Act.
<b>Alteration</b>	means any changes to the fabric or characteristics of a building involving, but not limited to, the removal and replacement of walls, windows, ceilings, floors or roofs, either internally or externally and includes any sign attached to the building. It does not include repair or maintenance.
<b>AMA</b>	means an aquaculture management area or an aquaculture settlement area (ASA) identified on the planning maps as an AMA or ASA.
<b>Amateur Radio Configuration</b>	means the antennas, aerials (including rods, wires and tubes), and associated supporting structures which are owned and used by licensed amateur radio operators.
<b>Ambient temperature</b>	means the temperature of the surrounding environment.
<b>Amenity values</b>	has the same meaning as in Section 2 of the Act.
<b>Anaerobic soils</b>	means soils that are permanently or seasonally saturated by water that results in reduced plant growth; plant death; adventitious root growth; colour changes in soil (dark soil horizons due to accumulation of organic matter or formation of grey or gley colours due to reduction of iron species); growth of black slime, algae or planktonic species on the soil surface; rotten egg odours; crusting of the soil surface.
<b>Ancillary</b>	means activity or structure located on the same site as the primary activity where such activity is small in scale, incidental and serves a supportive function to the primary activity.
<b>Anchoring or Anchorage</b>	means the securing of a vessel, raft, aircraft or floating structure by means of an anchor.
<b>Antenna</b>	means that part of a radio communication facility or telecommunication facility used for transmission or reception including the antenna mountings but not any supporting mast or similar structure.
<b>Anti-foul paint or coatings</b>	means a coating that is applied to submerged surfaces in the Coastal Marine Area to prevent or reduce the accumulation of aquatic organisms, which includes but is not limited to biocide releasing substances.
<b>Archaeological site</b>	has the same meaning as in Section 6 of the Heritage New Zealand Pouhere Taonga Act 2014.

<b>ASA</b>	means an aquaculture settlement area labelled as ASA on the planning maps and set aside for applications from iwi under the Māori Commercial Aquaculture Claims Settlement Act 2004.
<b>Audible bird scaring device</b>	means any device that generates audible sound waves used for the scaring of birds. Devices fall into one of two categories: <ol style="list-style-type: none"> <li>1. Category A are percussive or explosive devices (but excluding firearms as defined by the Arms Act 1983, or any Act amending or replacing that Act). For the purpose of this Plan, 'percussive or explosive device' means any device that is used to scare or disturb birds by generating a shock wave from percussion or an explosion thereby emitting noise.</li> <li>2. Category B are other devices (but excluding firearms as defined by the Arms Act 1983 or any Act amending or replacing that Act). For the purpose of this Plan, 'other devices' shall mean any other device (not in Category A) that generates noise that is used to scare or disturb birds.</li> </ol>
<b>Automatic identification system (AIS)</b>	means a Data Recording Device installed on-board ship that is operated in accordance with the requirements of SOLAS (Safety of Life at Sea, which is a convention of the International Maritime Organisation).
<b>Backbone</b>	means either a single or double line supported by floats which runs at the surface of the water or sub-surface and from which growing structures are suspended. The backbone does not include warps and anchors.
<b>Bare ground</b>	means ground not covered by vegetation or a vegetation canopy, as viewed vertically from a point higher than the tallest vegetation on the site.
<b>Batter</b>	means the cut slope immediately above a track, forestry road, skid site or other excavation.
<b>Bed</b>	has the same meaning as in Section 2 of the Act.
<b>Biodiversity Criteria for Significance</b>	as identified in Appendix 3.
<b>Bio-foul</b>	means aquatic organisms (micro-organisms, plants, and animals) on surfaces and structures immersed in or exposed to the aquatic environment.
<b>Biogenic habitat</b>	has the meaning set out in regulation 7 of the Resource Management National Environmental Standards for Marine Aquaculture Regulations 2020.
<b>Blenheim Airshed</b>	as identified in Appendix 9.
<b>Boatshed</b>	means any enclosed or covered structure used or designed to be for the sole purpose of storing a boat, and associated boating equipment, out of water within the Coastal Marine Area. A boatshed excludes the provision of any plumbing for any sanitary services or toilets and accommodation.
<b>BOD<sub>5</sub></b>	means biological oxygen demand.

<b>Bore</b>	means a hole in the ground constructed for the purpose of: <ul style="list-style-type: none"> <li>investigating or monitoring conditions below the ground surface; or</li> <li>abstracting liquid substances from the ground; or</li> <li>discharging liquid substances into the ground</li> </ul> but excludes test pits and soak holes.
<b>Bottom trawling</b>	means the action or practice of fishing by dragging a net, including other associated mechanical or supporting devices, where the net or devices come into contact with the seabed and/or the ecology of the seabed.
<b>Breakfeeding</b>	means the feeding of animals on paddocks where feeding space is controlled by the movement of an electric fence.
<b>Building</b>	has the same meaning as in Section 8 of the Building Act 2004.
<b>Camping ground</b>	has the same meaning as in Regulation 2 of the Camping-Grounds Regulations 1985 and includes a motor camp, a caravan or camper van park and storage.
<b>Carbon sequestration forestry planting</b>	means the planting and management of areas of shrubs and vegetation the purpose of which is only for carbon sequestration, but excludes exotic continuous-cover forest or forestry.
<b>Certificate of title</b>	has the same meaning as in Clause 12 of Schedule 1 to the Land Transfer Act 2017
<b>Cleanfill</b>	means material that does not have the potential to contaminate the environment. This material includes clay, soil, rock, concrete, Brick or demolition products that are free of combustible, organic materials and contaminants and are, therefore, not subject to biological or chemical breakdown.
<b>Clubrooms</b>	means buildings used for meetings or activities of a club. There may be provision to be a licensed premise for use of patrons of that club and their guests.
<b>cm</b>	means centimetre.
<b>CMU</b>	means a coastal management unit identified on the planning maps as a CMU.
<b>Coastal broadleaved shrubland</b>	means vegetation dominated by (making up more than 50% of the canopy cover) indigenous species that do not naturally reach a height of 6m or 10cm trunk diameter at 1.4m above the ground. Includes species such as taupata ( <i>Coprosma repens</i> ), kawakawa ( <i>Piper excelsum</i> ), <i>Melicytus aff obovatus</i> , Cook Strait kowhai ( <i>Sophora microphylla</i> ), Marlborough rock daisy ( <i>Pachystegia insignis</i> ) and koromiko ( <i>Hebe stenophylla</i> , <i>H. stricta</i> ).
<b>Coastal flaxlands</b>	[deleted]
<b>Coastal grassland</b>	means vegetation dominated by (making up more than 50% of the canopy cover) silver tussock ( <i>Poa cita</i> ).

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<b>Coastal marine area</b>	Generally throughout the Plan has the same meaning as in Section 2 of the Act (but particularly for the purposes of the coastal occupancy charge provisions in the Plan, to give practical and purposive effect to the provisions of section 64A of the Act, the phrase shall be interpreted to also mean and include where required both the common marine and coastal area, or the marine and coastal area).
<b>Coastal Natural Character Schedule of Values</b>	as identified in Appendix 2.
<b>Coastal recreation</b>	means recreational activity occurring within the Coastal Marine Area including but not limited to swimming, sailing and boating, kayaking, canoeing and surfing.
<b>Coastal salt turf</b>	means very low-growing indigenous vegetation exposed to wind-driven salt spray and includes succulent, small-leaved herbs such as <i>Selliera radicans</i> , <i>Samolus repens</i> , glasswort ( <i>Sarcocornia quinqueflora</i> ) and iceplant ( <i>Disphyma australe</i> ).
<b>Coastal small-leaved shrubland</b>	means vegetation dominated by (making up more than 50% of the canopy cover indigenous small-leaved species that do not naturally reach a height of 6m or 10cm trunk diameter at 1.4m above the ground. Species include tauhinu ( <i>Ozothamnus leptophyllus</i> ), coastal shrub daisy ( <i>Olearia solandri</i> ), prickly mingimingi ( <i>Leptecophylla juniperina</i> ), manuka ( <i>Leptospermum scoparium</i> ), matagouri ( <i>Discaria toumatou</i> ), <i>Melicactus crassifolius</i> , <i>Pimelea</i> spp. and Cook Strait kowhai ( <i>Sophora molloyi</i> ).
<b>Coastal speargrass herbfield</b>	means vegetation in which Cook Strait speargrass ( <i>Aciphylla squarrosa</i> ) is common (more than 10 % of the ground cover).
<b>Coastal water</b>	has the same meaning as in Section 2 of the Act.
<b>Commercial activity</b>	means the use of the land, buildings or space for the display, offering, provision, sale, servicing or hire of goods, services, equipment, and includes shops, markets, showrooms, premises licensed for the sale of liquor, restaurants, takeaway foodbars, professional, commercial and administrative offices, places of assembly, places of recreational activities and facilities, and passenger transport facilities.
<b>Community activity</b>	means the use of land and buildings for the purpose of supporting the health, safety, welfare, education, culture and spiritual well-being of the community including not for profit childcare facilities, active and passive recreation.
<b>Community corrections activity</b>	means the use of land and buildings for correctional administrative and non-custodial services. Services may include probation, rehabilitation and reintegration services, assessments, reporting, workshops and programmes, and offices may be used for the administration of and a meeting point for community work groups.
<b>Community facility</b>	means land and buildings established to support community activity.
<b>Community housing</b>	means the use of land and a dwelling for residential support to individuals with needs that include, but are not limited to people with physical, intellectual, psychiatric disabilities, people with a need for emergency accommodation or for a woman's refuge, children who cannot live at home; or people with addictive behaviours.

<b>Compost</b>	means a stable product suitable for use as a soil conditioner manufactured from the decomposition of organic matter.
<b>Computer Register</b>	has the same meaning as in Clause 12 of Schedule 1 of the Land Transfer Act 2017.
<b>Computer Interest Register</b>	has the same meaning as in Section 4 of the Land Transfer (Computer Registers and Electronic Lodgement) Amendment Act 2002.
<b>Conditions</b>	has the same meaning as in Section 2 of the Act.
<b>Consent</b>	includes any consent granted or issued by the Council under this Plan and the Act.
<b>Conservation planting</b>	means the management and planting of areas of shrubs and vegetation, of which the primary purpose is for amenity and landscape, soil conservation purposes and/or other conservation purposes.
<b>Consumptive uses</b>	means a use that involves the taking and using of water, for example, crop irrigation or industrial processes.
<b>Contaminant</b>	has the same meaning as in Section 2 of the Act.
<b>Controlled activity</b>	has the same meaning as in Section 2 of the Act.
<b>Council</b>	means the Marlborough District Council.
<b>Conventional longline structures</b>	means the use of longline structure technology and layout, such as a single or double backbone line and spherical or capsule-shaped floats, and includes longlines with subsurface backbones and any future technological changes that do not substantially alter the concept of a longline layout.
<b>Criteria for Determining Significant Adverse Effects on Natural Character</b>	as identified in Appendix 4.
<b>Crop protection structures</b>	means structures with material used to protect crops and/or enhance growth (excluding greenhouses and other buildings).
<b>Cultivation</b>	means breaking up turning and mounding of soil in preparation for sowing, planting or harvesting a crop or pasture. But excludes minimum tillage and the recontouring of land.
<b>Dairy farm effluent</b>	means all dairy effluent and contaminated washwater generated on the site of the farm dairy and associated yard areas. This includes machine washwater, pit washings, faecal matter, and washwater deposited on hard stand areas and sealed feed pads.
<b>Dam</b>	means a structure used, or to be used for damming of water. It may be above or below ground.
<b>Data recording device</b>	means a device or equipment installed on-board ship that automatically records and stores navigation, ship speed and related data.

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Federated Farmers of New Zealand  
ENV-2020-CHC-58  
By consent order dated 22 February 2023

**Commented [ 5 ]:** Clause 16

**Commented [ 6 ]:** RESOLVED:  
Horticulture New Zealand  
ENV-2020-CHC-71  
By consent order dated 31 January 2023

**Commented [ 7 ]:** RESOLVED:  
Waka Kotahi New Zealand Limited  
ENV-2020-CHC-56  
By consent order dated 31 October 2023

<b>Day</b>	means a period of 24 hours commencing at midnight.
<b>dBA</b>	means a frequency weighted sound pressure level in decibels relative to a reference sound pressure of 20 micropascals.
<b>Determination of Wave Energy</b>	as identified in Appendix 12.
<b>Designation</b>	has the same meaning as Section 166 of the Act.
<b>Designations</b>	as identified on the Zone Maps.
<b>Developer</b>	for the purpose of subdivision, includes subdivider.
<b>Dewatering</b>	means the abstraction of groundwater so as to lower the water table for the period of time required to enable excavation, construction, or geotechnical work to proceed in the dewatered area, or to sustain a lower localised water table.
<b>Discharge</b>	has the same meaning as in Section 2 of the Act.
<b>Discretionary activity</b>	has the same meaning as in Section 2 of the Act.
<b>Diversion</b>	means altering the natural course or flow of water from a surface water or ground water resource.
<b>Domestic bore</b>	means a bore from which water is taken and used for domestic purposes or for stock.
<b>Domestic livestock</b>	means livestock bred, reared and/or kept on the property for home consumption, or as pets, or for hobby purposes and from which little or no income is derived.
<b>Drainage channel</b>	means an artificial or other watercourse maintained or created for the purposes of removing unwanted water.
<b>Drainage Channel Network</b>	as mapped on the <i>Drainage Channel Network</i> Map.
<b>Dredging</b>	means any activity involving the dredging of the seabed to provide an adequate water depth for any purpose, and includes dredging activity necessary to maintain water depth levels.  Dredging in the context of Rule 16.7.6 and 16.7.7 means any activity involving the towing of a device on the seabed primarily for the collection of shellfish.
<b>Dumping</b>	has the same meaning as in Section 2 of the Act.
<b>Dwelling</b>	has the same meaning as dwellinghouse in Section 2 of the Act that is fully self-contained and used by one household and includes an apartment and a unit (but not the whole building containing the apartment or the unit) but does not include visitor accommodation, workers accommodation and retirement accommodation.
<b>Earthworks (when within the National Grid Yard)</b>	means any filling, excavation, deposition of or other disturbance of earth, rock or soil on a site. This includes the raising of the ground level or changes to the profile of the landform, the installation of services or utilities, the construction of tracks, firebreaks and landings, and root raking and blading.

<b>Ecologically Significant Marine Site</b>	as mapped on the <i>Ecologically Significant Marine Sites</i> Maps 1 to 16.
<b>Efflux velocity</b>	means the velocity of the gases leaving a chimney, pipe or other exhaust.
<b>Emergency service</b>	means an organisation that is essential to the community's response to an emergency incident or hazard event.
<b>Enclosed Water CMU</b>	means any of the following CMUs: Te Whanganui/Port Underwood, Picton Harbour/Waikawa Bay, Onapua Bay, Tory Channel/Kura Te Au, Queen Charlotte Sound/Tōtaranui, Te Anamāhanga/Port Gore, Waitui Bay, Anakoha Bay, Guards Bay, Forsyth Bay, Beatrix Bay, Clova Bay, Kenepuru Sound, Inner Pelorus Sound/Te Hoiere, Nydia Bay, Mahakipawa Arm, Hikapu Reach, Okiwi Bay/Whangarae Bay, Squally Cove, Tennyson Inlet, Fitzroy Bay, Hallam Cove, Maud Island, Waitata Bay, Port Ligar, Waitata Reach, Admiralty Bay, Coastal Section - South of French Pass, Te Aumiti (French Pass), Croisilles Harbour, Catherine Cove, Crail Bay, Mahau Sound, Kaiuma Bay, East Bay.
<b>Environment</b>	has the same meaning as in Section 2 of the Act.
<b>Environmental flows and/or levels</b>	has the same meaning as in the National Policy Statement for Freshwater Management 2014. In the Marlborough context these are identified in <i>Freshwater Management Unit</i> in Appendix 6.
<b>Ephemeral</b>	means a wetland, lake, river, or reach of river that only exists or flows for a short period following heavy or persistent precipitation or snowmelt.
<b>Erosion</b>	means any particulate or mass movement of soil under the influence of wind, water or gravity or combinations thereof.
<b>Esplanade reserve</b>	has the same meaning as in Section 2 of the Act.
<b>Esplanade strip</b>	has the same meaning as in Section 2 of the Act.
<b>Excavation</b>	means to dig out soil or natural material from the ground such that the surface contour of the land is permanently altered.
<b>Existing Marine Farm</b>	<p><del>means a marine farm existing at the time of notification of Variations 1 and 1A on 2 December 2020.</del> means a marine farm that as of 19 May 2023:</p> <p>(a) <a href="#">Has a deemed coastal permit under section 10, 20, 20A, or 21 of the Aquaculture Reform (Repeals and Transitional Provisions) Act 2004, or</a></p> <p>(b) <a href="#">Has a coastal permit to occupy space in the common marine and coastal area for aquaculture activities, granted after the commencement of Part 7A of the RMA; or</a></p> <p>(c) <a href="#">Is authorised under s165ZH of the RMA.</a></p>

**Commented [ 8 ]:** RESOLVED:  
Nelson-Marlborough Fish and Game Council  
ENV-2020-CHC-35  
By consent order dated 31 October 2023

**Commented [ 9 ]:** Marine Farming Association and  
Aquaculture New Zealand  
ENV-2023-CHC-61

**Commented [ 10 ]:** Sanford Limited  
ENV-2023-CHC-73



<b>Exotic continuous-cover forest or forestry</b>	<p>(a) means a forest that is deliberately established for commercial purposes, being at least 1 ha of continuous forest cover of exotic forest species that has been planted and -</p> <ul style="list-style-type: none"> <li>(i) will not be harvested or replanted; or</li> <li>(ii) is intended to be used for low-intensity harvesting or replanted; and</li> </ul> <p>(b) includes all associated forestry infrastructure; but</p> <p>(c) does not include -</p> <ul style="list-style-type: none"> <li>(i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or</li> <li>(ii) forest species in urban areas; or</li> <li>(iii) nurseries and seed orchards; or</li> <li>(iv) trees grown for fruit or nuts; or</li> <li>(v) long-term ecological restoration planting of indigenous forest species; or</li> <li>(vi) willows and poplars space planted for soil conservation purposes.</li> </ul>
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<b>External building envelope</b>	means an area defined by the outermost physical parts of the building, normally the cladding and roof.
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<b>External combustion</b>	a method of energy generation in which combustion takes place in a controlled chamber or chambers outside an engine to generate mechanical energy.
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<b>Farm airstrip and helipad</b>	means a facility for the use of aircraft or helicopters integral to the farming use of the land.
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<b>Farm produce</b>	in relation to a rural selling place means livestock matter and vegetative matter produced on a farming unit. In the case of vegetation vegetative matter farm produce means any vegetative matter which has not been subject to processing beyond cutting, cleaning, chilling, freezing, grading, packaging and includes the unprocessed extracted juices of such matter. In the case of livestock matter, farm produce means eggs and honey and includes any arts and crafts produced on the property.
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<b>Farming</b>	means a land based activity, having as its primary purpose the commercial production and sale of any livestock or vegetative matter, including buildings or structures ancillary to the farming activity. Farming does not include intensive farming, forestry, and in the case of vegetative matter, does not include the processing of farm produce beyond cutting, cleaning, grading, chilling, freezing, packaging and storage of produce grown on the farming unit. For clarity farming includes the slaughtering and processing of animals for personal consumption but not for sale purposes.
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ENV-2020-CHC-71  
By consent order dated 31 January 2023

<b>Fertiliser</b>	means any substance (whether in solid or liquid form) that is described as or held out to be for, or suitable for sustaining or increasing the growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soils; nitrogen, phosphorus, potassium, sulphur, magnesium, calcium, chloride, sodium as major nutrients, or manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium as minor nutrients or fertiliser additives, and includes non-nutrient attributes of materials used in fertiliser, but does not include substances that are plant growth regulators that modify physiological functions of plants. For the purposes of the Plan, fertiliser excludes compost.
<b>Field capacity</b>	means the moisture content of soil when the addition of further water would result in saturation and/or drainage of water from the soil.
<b>Fill, filling and fill material</b>	means material placed to raise the existing ground level.
<b>Fire break</b>	has the same meaning as in Section 2 of the Forest and Rural Fires Act 1977 but does not include an access track.
<b>Flood Hazard Area</b>	means an area identified on the <i>Flood Hazard Area Maps 1 to 41</i> .
<b>Floodway</b>	means areas identified in the Floodway Zone.
<b>FMU</b>	means Freshwater Management Unit.
<b>Foreshore</b>	has the same meaning as in Section 2 of the Act.
<b>Forestry road</b>	means a road that has the width, grade, strength, and pavement surface that allows a fully laden logging truck to safely traverse it and has all-weather access; but does not include a road managed by a local authority, the Department of Conservation, or the New Zealand Transport Agency.
<b>Freedom camping</b>	has the same meaning as “freedom camp” in Section 5 of the Freedom Camping Act 2011.
<b>Freshwater</b>	has the same meaning as in Section 2 of the Act.
<b>Freshwater Management Unit (FMU)</b>	as mapped on the <i>Freshwater Management Unit Maps 1 to 5</i> .
<b>Front yard</b>	means a yard between the front boundary (i.e., road) of a site and a line parallel to the front boundary extending across the full width of the site; provided that where a boundary is indicated in the MEP as a road to be widened the front boundary of the site will be treated as the front boundary as it will be after such widening has been completed.
<b>Frost fan</b>	means a land based device, including both permanent and mobile, designed or adapted to mitigate frost damage by fanning warmer air over potentially frost-affected surfaces, and includes any motive source, the support structure and power source.

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Nelson-Marlborough Fish and Game Council  
ENV-2020-CHC-35  
New definition: freshwater values  
By consent order dated 31 October 2023

<b>Fuel burning equipment</b>	means any fireplace, grate, stove, incinerator, boiler, furnace, gas turbine, or external combustion engine, and that: (a) has a net heat or energy output of more than 40kW; or (b) is on or associated with an industrial or trade premises or process.  This excludes: (a) small scale solid fuel burning appliances; (b) waste incineration devices and crematoria; (c) motor vehicles, boats, train, aircraft or other mobile sources.
<b>Gabion</b>	means a box shaped structure of wire mesh enclosing stones or small rock rip-rap used to resist river flow.
<b>Grade A treated sewerage</b>	Grade A treated sewerage has the same meaning as in the Resource Management (Marine Pollution) Regulations 1998.
<b>Grade B treated sewerage</b>	Grade B treated sewerage has the same meaning as in the Resource Management (Marine Pollution) Regulations 1998.
<b>Greenhouse</b>	means a structure where plants (excluding fungi) are grown in a controlled environment.
<b>Ground level</b>	means natural ground level.
<b>Groundwater</b>	means natural water that is below the surface of the ground, the bed of the sea, or the bed of any lake or river or stream, whether the water is flowing or not, and if it is flowing whether it is in a defined channel or not. Includes all natural water that has been, by means of a bore, brought above the surface from below the surface of the ground, the bed of the sea, or the bed of any lake or river or stream.
<b>Gross site area</b>	means the total area of the site on which the activity occurs.
<b>Groundwater Protection Area</b>	as mapped on the <i>Groundwater Protection Areas</i> Maps 1 to 8.
<b>ha</b>	hectares
<b>Habitable building</b>	means a dwelling, community housing, or a building in which visitor accommodation or worker accommodation is provided.
<b>Habitable space</b>	means all or part of a building that is used for living and includes a living room, sitting room, bedroom and a kitchen; but does not include a laundry, toilet, bathroom, pantry, walk-in wardrobe, corridor, hallway, lobby, clothes drying room, utility room, conservatory or garage.
<b>Habitat</b>	means the place or type of site where an organism or population normally occurs.
<b>Harvesting track</b>	means a temporary track installed to facilitate forestry harvesting only, but does not include a forestry road.
<b>Hazardous substance</b>	has the same meaning as in Section 2 of the Hazardous Substances and New Organisms Act 1996.
<b>Hazardous waste</b>	means hazardous substances which are unwanted and economically unusable and discarded or discharged by its holder.

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Horticulture New Zealand  
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By consent order dated 31 January 2023

**Commented [ 16]:** Marine Farming Assn Inc & Aquaculture NZ  
ENV-2020-CHC-74  
New definition: headland

<b>Health care activities</b>	means the use of land and buildings, in whole or in part for health care purposes, including surgeries, medical or veterinary clinics, and hospitals, but excludes medical insurance brokers.
<b>Heavy industrial activity</b>	as it applies in the Industrial 1 and 2 Zones means activities that process raw materials to finished products; materials that have generally been processed at least once; meat processing; heavy fabrication; making and assembling parts that are, in themselves, large and heavy.
<b>Heavy vehicle</b>	has the same meaning as in Section 2 of the Land Transport Act 1998.
<b>Height</b>	in relation to a building or structure, means the vertical distance between the natural ground level at any point and the highest part of the building or structure immediately above that point as shown in Figure 2 of Appendix 26. This definition does not apply to lightning rods or GPS equipment/units affixed to the highest part of a network utility or radiocommunication or meteorological or telecommunication building or structure.
<b>Heritage resource</b>	means any type of historic heritage place or area. It may include a historic building or item, historic site, a place/area of significance to Maori or heritage landscape. The term may be used to refer to both heritage resources listed in the Marlborough Environment Plan and to those registered by Heritage New Zealand.
<b>High rate discharge system</b>	means a system that delivers a discharge rate of >10 mm/hr on an instantaneous basis, for example, but not limited to, travelling irrigators.
<b>High speed ship</b>	means a ship which has a registered length exceeding 30m and is capable of a maximum speed, in metres per second (m/s), equal to or exceeding: $3.7 \sigma^{0.1667}$ where $\sigma$ = displacement corresponding to the design waterline (M <sup>3</sup> ).
<b>High Priority Waterbodies for Public Access</b>	as mapped on the <i>High Priority Waterbodies for Public Access Map</i> .
<b>Home occupation</b>	means any occupation, business, trade, craft or profession, the primary purpose of which is to derive income. Excluded from this definition are any activities involving escort agencies, brothels, massage parlours, homestays, retail sales, panel beating, spray painting, motor vehicle repairs, heavy trade vehicles, fibre-glassing, sheet metal work, wrecking of motor vehicles, bottle and scrap metal storage, rubbish collection service, wrought iron work, fish processing, primary production, motor body building and any process that involves continual use of power tools and drilling or hammering or any other activity that would detract from the amenities of the neighbourhood or locality.
<b>Homestay</b>	means the use of a dwelling to accommodate paying guests.

**Commented [ 17]:** RESOLVED:  
 Federated Farmers of New Zealand  
 ENV-2020-CHC-58  
 By consent order dated 22 February 2023

<b>Human effluent</b>	in relation to on-site management systems, means human induced effluent originating from household or personal activities including toilets, urinals, kitchens, bathrooms (including shower, washbasins, bath, spa bath but not spa) and laundries. Includes such flows from facilities serving staff, employees, residents, students, guests in institutional, commercial and industrial establishments, but excludes commercial and industrial wastes, large scale laundry activities and any stormwater flows.
<b>Impermeable material or surface</b>	means a material or surface that does not permit liquid substances to pass through. For clarity, impermeable material or surface does not include clay but does include, but is not limited to, concrete and synthetic material or surface.
<b>Important species</b>	means, for the purposes of Policies 13.21.3 and 13.21.6 the species identified as important in Davidson R. J.; Duffy C.A.J.; Gaze P.; Baxter, A.; DuFresne S.; Courtney S.; Hamill P. 2011. <i>Ecologically significant marine sites in Marlborough, New Zealand</i> . Co-ordinated by Davidson Environmental Limited for Marlborough District Council and Department of Conservation.
<b>Indigenous forest</b>	means an area of naturally occurring woody vegetation that: <ul style="list-style-type: none"> <li>• has a canopy predominantly formed by trees over 6m high;</li> <li>• has more than 80% closure of the canopy;</li> <li>• comprises plant species indigenous to the District.</li> </ul>
<b>Indigenous vegetation</b>	means naturally occurring vegetation, regardless of height, where the plant species are indigenous to the District.
<b>Industrial or trade premises</b>	has the same meaning as in Section 2 of the Act.
<b>Industrial process</b>	has the same meaning as industrial or trade process as in Section 2 of the Act.
<b>Inner Noise Control Boundary</b>	As mapped on the <i>Noise Control Boundaries Maps 1 to 5</i> .

Commented [ 18]: Clause 16

<b>Installed and the resultant age of, a small-scale solid fuel burning appliance</b>	<p>means any of the following:</p> <ul style="list-style-type: none"> <li>(a) the date on which a building permit for the appliance or related work was issued under the Local Government Act 1974, or</li> <li>(b) the date on which a building consent for the appliance or related work was issued under the Building Act 1991 (or where a building consent was lodged prior to the date of notification of this Plan, the date of lodging of the consent), or</li> <li>(c) a date of installation for the appliance or related work contained in an unauthorised building work report that has been accepted in writing by the Consents Department of the Marlborough District Council, or</li> <li>(d) a date of installation or appliance age authenticated by the Consents Department of the Marlborough District Council, based on: <ul style="list-style-type: none"> <li>i a valuation report or sale and purchase agreement showing the small-scale solid fuel burning appliance as a chattel at a specified date, or</li> <li>ii the original invoice for the installation of the small-scale solid fuel burning appliance, or</li> <li>iii a copy of the installer's office record for the installation of the small-scale solid fuel burning appliance (certified by a Justice of the Peace), or</li> <li>iv a report from Council building inspector or suitably qualified person approved by the Council as to the age of the appliance.</li> </ul> </li> </ul>
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**Commented [ 19]:** Clause 16  
Amendment to accurately reflect decision

<b>Intake</b>	means a surface system operated to take water from a surface water body.
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<b>Intensively farmed livestock</b>	<p>means:</p> <ul style="list-style-type: none"> <li>(a) Cattle, deer or sheep which are contained for breakfeeding;</li> <li>(b) dairy cattle;</li> <li>(c) pigs.</li> </ul>
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**Commented [ 20]:** RESOLVED:  
Federated Farmers of New Zealand  
ENV-2020-CHC-58  
By consent order dated 1 November 2023

<b>Intensive farming</b>	<p>means any primary production activity exhibiting two or more of the following characteristics:</p> <ul style="list-style-type: none"> <li>(a) little dependence on the quality of the soils of the site, such as mushrooms and plant nurseries;</li> <li>(b) in excess of 50% coverage in permanent buildings having concrete or otherwise impervious floors for the housing and growing of livestock and/or vegetative matter;</li> <li>(c) substantial environmental control and/or modification to facilitate growth of livestock and/or vegetative matter;</li> <li>(d) high output of collected waste material per hectare and includes all pig farming, poultry farming, rabbit farming; mushrooms, container growing nursery;</li> <li>(e) land based aquaculture; and</li> <li>(f) does not include the growing of plants within greenhouses.</li> </ul>
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**Commented [ 21]:** RESOLVED:  
Horticulture New Zealand  
ENV-2020-CHC-71  
By consent order dated 31 January 2023

<b>Internal combustion</b>	means a method of energy generation in which combustion takes place in a controlled chamber or chambers inside an engine to generate mechanical energy.
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<b>Intermittently flowing</b>	means a wetland, lake, river, or reach of river that exists or flows for weeks, or months each year.
<b>Intertidal marine farming</b>	means <del>a marine farm structure</del> aquaculture activities such as rack oyster culture where the species and the structures on which they are grown are not covered by water at all stages of the tidal cycle.
<b>Irrigation bore</b>	means any bore with a casing diameter of greater than 75mm.
<b>Iwi Authority</b>	has the same meaning as in Section 2 of the Act.
<b>Kaitiakitanga</b>	has the same meaning as in Section 2 of the Act.
<b>km</b>	means kilometre.
<b>kph</b>	means kilometres per hour.
<b>KW</b>	means kilowatt.
<b>L<sub>dn</sub></b>	means the day-night average sound level over a 24 hour period (midnight to midnight) obtained after the addition of 10 decibels to sound levels during the night, where night is 10.00 pm to 7.00 am the following day.
<b>L<sub>AEQ</sub></b>	means the time-average A-frequency weighted sound pressure level (dBL <sub>eq</sub> ) of a continuous steady sound that within a sample period has the same mean square sound pressure level as a sound under investigation whose level varies with time.
<b>L<sub>MAX</sub> (L<sub>Fmax</sub>)</b>	means the maximum A-frequency-weighted sound level (dBL <sub>Fmax</sub> ) during a stated time period.
<b>Lake</b>	has the same meaning as in Section 2 of the Act.
<b>Lake Grassmere Salt Works Administration, Workshop, Salt Refining &amp; Processing Area</b>	as identified on the Zone Maps.
<b>Lake Grassmere Salt Works Intake and Pipeline Corridor</b>	as identified on the Zone Maps.
<b>Land</b>	has the same meaning as in Section 2 of the Act.
<b>Land application area</b>	means an area of land that is set aside to allow wastewater from a treatment unit to be applied into or onto the soil for further in-soil treatment and absorption. The method of distribution and nature of the land application area can vary, and includes trenches, beds, mounds and dripper lines, but does not include soak pits.
<b>Land development sign</b>	means a sign relating to land development that involves a minimum of six allotments or units.
<b>Land disturbance activity</b>	means any activity that includes excavation, filling, cultivation or vegetation clearance.

Field Code Changed

Field Code Changed

Field Code Changed

**Commented [ 22 ]:** Marine Farming Association and Aquaculture New Zealand  
ENV-2023-CHC-61

**Commented [ 23 ]:** Sanfords Limited  
ENV-2023-CHC-73

**Commented [ 24 ]:** Errata 7. Clause 16.

<b>Landscape Schedule of Values</b>	as identified in Appendix 1.
<b>Land transport</b>	means (i) transport on land by any means; and (ii) the infrastructure, goods, and services facilitating that transport.
<b>Landscape Exclusion Area</b>	as identified in Appendix 18.
<b>Landscape strip</b>	means an area of permanent planting that may comprise grasses, shrubs and trees or any combination thereof.
<b>Large format retail</b>	means the use of land and buildings for the sale of goods to the trade and/or general public. Large format retail applies within the Business 3 zone only.
<b>Lawfully established</b>	means an activity that is permitted through a rule in a plan, a resource consent, a national environmental standard or by an existing use right.
<b>Lawful structure</b>	means a structure that: <ul style="list-style-type: none"> <li>• complies with the relevant permitted activity standards contained within the Marlborough Environment Plan; or</li> <li>• is legally consented by means of Resource Consent and not lapsed; or</li> <li>• is legally established by way of existing use rights.</li> </ul>
<b>Leachate</b>	means a liquid that has percolated through and/or been generated by the decomposition of waste material and includes water that comes into contact with waste and is potentially contaminated by nutrients; metals, salts and other soluble or suspended components; and liquid products of the decomposition of the waste.
<b>Length of backbone</b>	means the distance between the furthest floats measured in metres.
<b>Licensed premises</b>	has the same meaning as in Section 5 of the Sale and Supply of Alcohol Act 2012.
<b>Light fouling</b>	means small patches (up to 100 millimetres in diameter) of visible fouling, totalling less than 5% of the hull and niche areas. A slime layer and/or goose barnacles are included in this definition.
<b>Light industrial activity</b>	means activities focussed on design, assembly, finishing and packaging of products. Included are facilities for administration and research, assembly of products, storage and warehousing, shipping and associated parking lots and grounds. Among the industries are research laboratories, small textile mills, electronics firms and trucking companies.
<b>Light reflectance value</b>	means the percentage of visible and usable light that is reflected a surface when illuminated by a light source.
<b>Land</b>	[deleted]
<b>Limited Access Road</b>	means any road or part of a road which has been declared a "Limited Access Road" under the Government Roadway Powers Act 1989.

**Commented [ 25]:** RESOLVED:  
Waka Kotahi New Zealand Transport Limited  
ENV-2020-CHC-56  
By consent order dated 6 October 2022

**Commented [ 26]:** RESOLVED:  
Nelson-Marlborough Fish and Game Council  
ENV-2020-CHC-35  
New definition: life-supporting capacity and aquatic ecosystem  
By consent order dated 31 October 2023

**Commented [ 27]:** Errata 5. Clause 16.

**Commented [ 28]:** Clause 16 (Repeated above)



<b>Liquid waste</b>	means waste material that does not exhibit the properties of a solid, e.g, it cannot be stacked and will not hold a definite angle of repose.
<b>m</b>	means metre.
<b>m<sup>2</sup></b>	means square metre.
<b>m<sup>3</sup></b>	means cubic metre.
<b>µm</b>	means micrometre.
<b>Maataitai</b>	has the same meaning as in Section 2 of the Act.
<b>Macrofouling</b>	means any organism or life stages of an organism not included in the definition of microfouling.
<b>Maintenance of a building or structure</b>	means the protective care of a place. For clarity, the maintenance of a building or structure does not extend to the complete rebuild or replacement of the building or structure.
<b>Maintenance and replacement</b>	means any work, including foundation work, or activity necessary to continue the operation and or functioning of an existing line, building, structure or (for the purpose of utilities and renewable electricity generation) other facility with another of the same or similar height, size or scale, within the same or similar position and for the same or similar purpose.
<b>Māori Cultural Values</b>	[deleted]
<b>Māori Land</b>	Māori land means Māori customary land and Māori freehold land, as defined in Section 4 of Te Ture Whenua Māori Act 1993.
<b>Mana whenua</b>	has the same meaning as in Section 2 of the Act.
<b>Management flow and level</b>	Means a flow or level at which the take or diversion of water must be rationed or fully restricted.
<b>Marae activity</b>	means a specific area of land where the primary purpose is the provision of a focal point for social, cultural, and economic activity for iwi, hapū or whānau. A marae may include wharehui and hui activities; kaumātua housing, hostels and wharekai; hangi; papakāinga; whare wairua; kokiri training and tuition activities; educational facilities and activities and whare wananga; kōhanga Reo, childcare facilities and activities; recreation activities; tangihanga; urupā and burial activities; health facilities; administration offices ancillary to the Marae activity; the retail sale of goods manufactured or grown within the Marae property; and tourist visitor services and operations.
<b>Marina</b>	means a facility for the accommodation of boats and/or ships, comprising berths, pontoons, piers and boat launching ramp(s), and any associated reclamations, breakwaters, and/or wave protection barriers.

**Commented [ 29]:** RESOLVED:  
Waka Kotahi New Zealand Transport Limited  
ENV-2020-CHC-56  
New definition: Local Road  
By consent order dated 6 October 2023

**Commented [ 30]:** Errata 5. Clause 16.

**Commented [ 31]:** RESOLVED:  
Manawa Energy Limited (previously Trustpower Limited)  
ENV-2020-CHC-50  
By consent order dated 25 March 2022

**Commented [ 32]:** RESOLVED:  
Nelson-Marlborough Fish and Game Council  
ENV-2020-CHC-35  
By consent order dated 31 October 2023

<b>Marine Farm</b>	means a single spatial area used for aquaculture activities (as defined in section 2 RMA), excluding rearing or on-growing of finfish, that has or requires a coastal permit for the occupation of the coastal marine area and which may also have or require coastal permits that authorise one or more of the following activities: the erection, placement, and use of any structures for aquaculture; and any associated disturbance of the foreshore and seabed, and ancillary deposition or discharges in the coastal marine area. Marine farming has the related meaning.
<b>Marine farm</b>	[deleted]
<b>Marine farming</b>	[deleted]
<b>Marine fuel facility</b>	means structures, and their operation, to provide fuel to ships. For clarity, this definition includes the wholesale distribution of fuels including for port engineering activity, but excludes a commercial service station.
<b>Marlborough Sounds High Amenity Landscape</b>	as mapped on the <i>Landscape Maps 1 to 11</i> and described in Appendix 1.
<b>MDC</b>	means the Marlborough District Council.
<b>Mean high water springs (MHWS)</b>	means the average of each pair of successive high waters during that period of about 24 hours in each semi-lunation (approximately every 14 days) when the range of tides is the greatest.
<b>Meat processing</b>	means the use of land and buildings for the yarding and slaughtering of animals; the associated processing of meat including by-product and co-product processing; rendering; fish and shellfish processing; fellmongery, tanning, casing and pelt processing; and the associated chilling, freezing, packaging and storage of meat and associated products.
<b>MEP</b>	means the Marlborough Environment Plan.
<b>MHWS</b>	means Mean High Water Springs.
<b>mg/m<sup>3</sup></b>	means milligram per cubic metre.
<b>Microfouling</b>	[deleted]
<b>Minimum tillage</b>	means a tillage method that does not turn the soil over and includes direct drilling.
<b>Mining</b>	As defined in Section 2 of the Crown Minerals Act 1991.

**Commented [ 33]:** Variation 1

**Commented [ 34]:** Variation 1

**Commented [ 35]:** WITHDRAWN  
Port Marlborough New Zealand Limited  
ENV-2020-CHC-49  
By memorandum dated 28 May 2022

<b>Minor upgrading</b>	<p>means an increase in the carrying capacity, efficiency or security of electricity (for the purpose of utilities) lines, telecommunication lines and radio communication facilities, using the existing support structures or replacement structures of a similar scale and character, and includes:</p> <ul style="list-style-type: none"> <li>(a) The replacement, reconfiguration, relocation or addition of lines, circuits and conductors;</li> <li>(b) The re-conductoring of the line with higher capacity conductors;</li> <li>(c) The re-sagging of conductors;</li> <li>(d) The addition of longer or more efficient insulators;</li> <li>(e) The addition of earthwires, earthpeaks and lightning rods;</li> <li>(f) Foundation works associated with the minor upgrading.</li> </ul> <p>Note: There are requirements under electricity legislation and codes of practice for network operators when working on land, including the need to obtain landowner permission for upgrading of lines (including increasing voltages) in certain circumstances.</p>
<b>mm</b>	means millimetre.
<b>mm/hr</b>	means millimetre per hour.
<b>Mobile Source</b>	means a moveable vehicle or piece of equipment, burning gaseous, liquid or solid fuel, whether self-propelled or not, including, but not limited to, motor vehicles, trains, mobile plant, including plant used for construction or maintenance purposes, and lawnmowers and similar garden or land maintenance equipment.
<b>Moorings</b>	means any weight or article placed in or on the foreshore and seabed for the purpose of securing a vessel; including any wire, rope, chain, buoy or other device attached or connected to the weight. For clarity, moorings include both swing moorings and pile moorings. For clarity, a mooring does not include an anchor that is normally removed with the vessel when it leaves the site or anchorage.
<b>Moorings Management Area</b>	means an area delineated in the coastal marine area for moorings and includes a Waka Moorings Management Area.
<b>Moorings Manager</b>	means a person appointed by the Council to manage a Moorings Management Area.
<b>m/s</b>	means metres per second.
<b>Municipal water supply</b>	means any water supply owned, managed or administered by the Marlborough District Council other than a supply exclusively providing an irrigation water supply.
<b>MW</b>	means megawatts.
<b>National Grid</b>	means the network that transmits high-voltage electricity in New Zealand and that is owned and operated by Transpower New Zealand Limited.

**Commented [ 36]:** RESOLVED:  
Federated Farmers of New Zealand  
ENV-2020-CHC-58  
Horticulture New Zealand  
ENV-2020-CHC-71  
By consent order dated 6 October 2022

**Commented [ 37]:** RESOLVED:  
Waka Kotahi New Zealand Transport Limited  
ENV-2020-CHC-56  
By consent order dated 25 July 2022

**Commented [ 38]:** WITHDRAWN  
Levide Capital Limited  
ENV-2020-CHC-65  
By memorandum dated 4 August 2022

<b>National Grid Corridor</b>	Means the area located either side of the centreline of any National Grid transmission line as follows: <ul style="list-style-type: none"> <li>• 16m for the 110kV lines on pi-poles</li> <li>• 32m for the 110kV lines on towers</li> <li>• 37m for the 220kV transmission lines</li> <li>• 39m for the 350kV transmission lines.</li> </ul>
<b>National Grid Yard</b>	means: <ul style="list-style-type: none"> <li>• the area located 12m in any direction from the outer edge of a National Grid support structure; or</li> <li>• the area located 12m either side of the centreline of any overhead National Grid transmission line on pi-poles or towers.</li> </ul>
<b>National Grid Blenheim Substation</b>	means that area of land described as ID No. O1 in Appendix 14.
<b>National Grid Cook Strait Submarine Cables</b>	means the power and telecommunications cables owned and operated by Transpower New Zealand Limited and protected by the Submarine Cables and Pipelines Protection Act 1996 that are within the Cook Strait Cable Protection Zone established under the Submarine Cables and Pipelines Protection Order 2009.
<b>National Grid Transmission Lines</b>	has the same meaning as 'transmission line' in the Resource Management (National Environmental Standards for Electricity Transmission Activities) Regulations, 2009.
<b>National Transportation Area</b>	as mapped on the <i>National Transportation Area Map</i> .
<b>National Transportation Corridor</b>	As mapped on the <i>National Transportation Corridor Map</i> .
<b>Natural clarity</b>	refers to the transmission of light through water. There are two aspects: visual clarity, which can be taken as the hydrological range – the distance a perfect black body can be seen horizontally underwater; and the depth to which diffuse sunlight can penetrate vertically into water. Natural clarity shall be measured by using accepted scientific methods, and shall be taken to be the clarity of a water body immediately upstream of any discharge from a land disturbance site, or in the case of lakes or the sea, the clarity of water beyond the sediment 'plume' in the water. Reduction in clarity due to the discharge shall be measured at a point 50m downstream or offshore from the point of discharge, or two river widths, whichever is the greater.
<b>Natural ground level</b>	means the ground level before any earthworks have been undertaken.
<b>Natural hazard</b>	has the same meaning as in Section 2 of the Act.
<b>Navigational aid</b>	has the same meaning as in Section 2 of the Maritime Transport Act 1994.
<b>Near-shore CMU</b>	means any of the following CMUs: South Marlborough, Coastal Section – Outer Pelorus, Coastal Section - Cook Strait, D'Urville Island, Chetwoode Islands/Titi Island/Forsyth Island.

Commented [ 39]: Clause 16

Commented [ 40]: By consent order dated 6 October 2022

Commented [ 41]: By consent order dated 6 October 2022

Commented [ 42]: Errata 5. Clause 16.

<b>Net site area</b>	means the total area of the site less any land used or dedicated for access to the site (i.e. access legs or right of ways) and any area subject to proposed road widening or designated for any other purpose.
<b>Network utility</b>	has the same meaning as the utilities described in Section 166 of the Act.
<b>Network utility operator</b>	has the same meaning as in Section 166 of the Act.
<b>Network utility structure</b>	means any structure essential to the operation and provision of a (network) utility service.
<b>Night</b>	for the purposes of noise controls means half of one hour after sunset and half of one hour before sunrise.
<b>No.</b>	means number.
<b>Noise</b>	has the same meaning as in Section 2 of the Act.
<b>Noise sensitive activity</b>	means any use of land and/or buildings that is likely to be susceptible to the effects of noise emitted from nearby land uses in the course of their legitimate operation and functioning. Examples include dwellings, visitor accommodation, hospitals, health care and medical centres, residential care housing, educational institutions, structures for the purpose of, or activities involving public assembly.
<b>Non-consumptive uses</b>	means the use of water but not the actual consumption of that water. For example, fishing, swimming.
<b>Non-habitable</b>	means all or part of a building or structure that is not used for living.
<b>Non-mechanical</b>	means removing vegetation by hand or by a hand held device, for example a chainsaw or weed trimmer.
<b>Notable Tree</b>	as identified in Appendix 13.
<b>Notional boundary</b>	means a line 20m from any side of a dwelling or the legal boundary where this is closer to the dwelling.
<b>NZEC34:2001</b>	means the New Zealand Electrical Code of Practice for Electrical Safe Distances.
<b>NZTM</b>	means the New Zealand Transverse Mercator projected east/north coordinate system maintained by Land Information New Zealand.
<b>Obstacle limitation surfaces (OLS)</b>	means a series of surfaces that define the limits to which objects may project into the airspace. The OLS comprises transitional surface; approach surface/ take-off climb surface; inner horizontal surface; conical surface; outer horizontal surface; inner approach surface; inner transitional surface; and balked landing surface. As identified in Appendix 15.
<b>Offal pit</b>	means a hole excavated on a rural property to be used on an ongoing basis for the purpose of disposing of primarily disposing of offal or dead animals generated on that property, or a property held in the same ownership.

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Port Marlborough New Zealand Limited  
ENV-2020-CHC-49  
By consent order dated 6 October 2022

<b>Official road sign</b>	means any sign erected in accordance with; <ul style="list-style-type: none"> <li>(a) the Traffic Regulations 1976; or</li> <li>(b) the Land Transport Act 1998 and rules made pursuant to it, including the Land Transport Rule: Traffic Control Devices 2004; or</li> <li>(c) any Gazette Notice issued under Clause 4.4 of the Land Transport Rule: Traffic Control Devices 2004.</li> </ul>
<b>Offshore CMU</b>	means the Coastal Section – Open Water CMU.
<b>Omaka Valley Area</b>	as mapped on the <i>Omaka Valley Area</i> Map 9.
<b>On-site wastewater management</b>	means a system that services a residential dwelling, or other facility that generates domestic wastewater, by receiving, treating and absorbing the domestic wastewater within the property boundaries of the site of generation. The system consists of a treatment unit and land application area. A new on-site wastewater management system is one installed after 9 June 2016 and includes an extension to, or replacement of, an existing land application area.
<b>Outer noise control boundary</b>	means a defined area around a particular site outside of the inner noise boundary within which the current or future daily amount of noise exposure will be sufficiently high as to require appropriate land use controls (3 month average night weighted sound exposure = 55 <sub>L,dn</sub> ). As mapped on the <i>Noise Control Boundaries</i> Maps 1 to 5.
<b>Outstanding Natural Feature and Landscape</b>	as mapped on the <i>Landscape</i> Maps 1 to 11 and described in Appendix 1.
<b>Papakāinga</b>	means a traditional Māori settlement area on Māori land, or on land obtained through Treaty settlement legislation and owned by an iwi entity or held in trust for the benefit of iwi, that is used and occupied in accordance with principles of tikanga and kaitiakitanga, and includes activities associated with residential living.
<b>Papakāinga unit</b>	means a residential dwelling, used or intended to be used for residential activity and activities associated with residential living, located on Māori land, or on land obtained through Treaty settlement legislation and owned by an iwi entity or held in trust for the benefit of iwi.
<b>Park</b>	means a large public garden or area of land used for recreation. Some may provide for the display of often high quality horticultural landscaping for relaxation and contemplation, i.e., botanical and public gardens. May include infrastructure to assist in the management of an area such as garden and implement sheds, Greenhouses, nurseries, bollards, footpaths, bridges, boardwalks, viewing platforms, park furniture and lighting. May incorporate urban seating areas, children's' play areas, public toilets, sculptures, monuments, memorials, or water features.
<b>Park Terrace and Boyce Street Industrial Areas</b>	as identified in Appendix 20.

**Commented [ 44]:** RESOLVED:  
Te Runanga o Ngati Kuia Trust  
ENV-2020-CHC-70  
By consent order dated 25 March 2022

**Commented [ 45]:** RESOLVED:  
Te Runanga o Ngati Kuia Trust  
ENV-2020-CHC-70  
By consent order dated 25 March 2022

<b>Particulate matter</b>	includes smoke, deposited particulate, suspended particulate, and visibility reducing particulate. Particles range in size from 100µm down to aggregations of molecules.
<b>Passive or informal recreation</b>	means the voluntary and unstructured use of a range of recreational activities. Does not include any form of motorised sport.
<b>Permitted activity</b>	has the same meaning as in Section 2 of the Act.
<b>Pit</b>	in relation to the making of compost or silage, means a pit below ground or into the side of a hill. For the purpose of this definition, this does not include any excavation necessary to create the pit.
<b>Plantation forestry</b>	means a forest deliberately established for commercial purposes, being: <ul style="list-style-type: none"> <li>(a) at least 1ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and</li> <li>(b) includes all associated forestry infrastructure; but</li> <li>(c) does not include- <ul style="list-style-type: none"> <li>i. a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30m; or</li> <li>ii. forest species in urban areas; or</li> <li>iii. nurseries and seed orchards; or</li> <li>iv. trees grown for fruit or nuts; or</li> <li>v. long-term ecological restoration planting of forest species; or</li> <li>vi. willows and poplars space planted for soil conservation purposes.</li> </ul> </li> </ul>
<b>Plantation forestry afforestation</b>	means planting and growing plantation forestry trees on land where there is no plantation forestry and where plantation forestry harvesting has not occurred within the last 5 years; but does not include vegetation clearance from the land before planting.
<b>Plantation forestry harvesting</b>	<ul style="list-style-type: none"> <li>(a) means felling trees, extracting trees, thinning tree stems and extraction for sale or use (production thinning), processing trees into logs, or loading logs onto trucks for delivery to processing plants; but</li> <li>(b) does not include: <ul style="list-style-type: none"> <li>(i) milling activities or processing of timber; or</li> <li>(ii) clearance of vegetation that is not plantation forestry trees</li> </ul> </li> </ul>
<b>Plantation forestry replanting</b>	means the planting and growing of plantation forestry trees on land less than 5 years after plantation forestry harvesting has occurred.
<b>Ponding</b>	means the formation of pools of surface liquid, other than liquid momentarily present on the surface at the commencement of the absorption process.
<b>Port</b>	means part of the Port Zone where port activities are undertaken.

<b>Port activities</b>	means activities normally associated with the operation of vessels and other water related activities; cargo, handling and storage; embarking, disembarking and transit of passengers; launching, retrieval and storage of vessels; berthage and mooring activities and use of service lines to ships; associated marshalling, parking, and manoeuvring of vehicles and trains, maintenance activities associated with port structures and development; and ancillary activities to the above.
<b>Port engineering activity</b>	means engineering activity associated with ship building, repair and maintenance activities, and other engineering activities necessary for the operational requirements of Permitted Activities within the Port Zone including associated: equipment servicing and repair; <i>abrasive blasting</i> ; body and engine repairs; panel beating; fibre-glassing; painting; powder coating and spray painting.
<b>Potable water</b>	has the same meaning as in Section 1 of the Drinking-water Standards for New Zealand 2005 (Revised 2008).
<b>Pouwhenua</b>	means carved wooden posts, or other structures, used by Māori to mark territorial boundaries, or places of spiritual or cultural significance.
<b>Primary production</b>	means: <ul style="list-style-type: none"> <li>(a) any agricultural, pastoral, viticultural, horticultural, apicultural, forestry or aquacultural activities undertaken for commercial purposes; and</li> <li>(b) includes use of the land and buildings ancillary to the listed activities; but</li> <li>(c) does not include processing products from the listed activities beyond cutting, cleaning, chilling, freezing, grading, packaging and storage of vegetative matter; and</li> <li>(d) does not include the processing of wood products.</li> </ul>
<b>Private land</b>	has the same meaning as in Section 2 of the Land Act 1948.
<b>Production land</b>	means: <ul style="list-style-type: none"> <li>(a) any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural, and forestry products);</li> <li>(b) does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals.</li> </ul>
<b>Prohibited activity</b>	has the same meaning as in Section 2 of the Act.
<b>Prohibited Area for Habitable Buildings</b>	as identified in Appendix 19.
<b>Prohibited Areas for Marine Farming</b>	as identified on the Zone Map.

**Commented [ 46]:** RESOLVED:  
Port Marlborough New Zealand Limited  
ENV-2020-CHC-49  
By consent order dated 23 December 2022



<b>Quarrying</b>	<p>means the use of land, buildings and plant for the purpose of extraction of natural sand, gravel, clay, silt and rock and the associated processing, storage, sale and transportation of those same materials and quarry site rehabilitation. It may include:</p> <ul style="list-style-type: none"> <li>(a) earthworks associated with the removal and storage of overburden;</li> <li>(b) extraction of natural sand, gravel, clay, silt and rock materials by excavation or blasting;</li> <li>(c) processing of aggregate materials by screening, crushing, washing and/or mixing them together;</li> <li>(d) the addition of additives such as clay, silt, rock, sand and recycled/recovered aggregate to extracted materials;</li> <li>(e) workshops required for the repair of equipment used on the same property;</li> <li>(f) site management offices;</li> <li>(g) landscaping;</li> <li>(h) quarry site rehabilitation, any associated clean-filling and disposal of overburden from the quarry activity.</li> </ul>
<b>Radio communication facility</b>	<p>means any transmitting/receiving devices such as aerials, dishes, antennae, cables, lines, wires and associated cabinets/equipment /apparatus, as well as support structures such as towers, masts and poles.</p>
<b>Rear boundary</b>	<p>in relation to a front site or a non- standard site, means a boundary generally to the rear of the site and generally parallel to the road frontage; provided that in the event of there being no rear boundary, as in a triangular site, the boundaries of the rear yard will be the converging side boundaries of the site and the arc of a circle drawn with the apex as centre and radius of 4.5m.</p>
<b>Rear yard</b>	<p>means a yard between the rear boundary of a site and a line parallel to the rear boundary extending across the full width of the site.</p>
<b>Reasonable mixing</b>	<p>means for any point source discharge the zone of reasonable mixing in the receiving water must extend from the discharge point as follows:</p> <p>For rivers and streams, the lesser of:</p> <ul style="list-style-type: none"> <li>(a) a distance downstream that equals seven times the width of the river or stream when the flow is at half the median flow; or</li> <li>(b) 200m downstream</li> </ul> <p>For rivers subject to tidal influence: As for rivers and streams plus a distance upstream equal to half of that allowed downstream when the width is taken at half the median river flow at mid-tide.</p> <p>For artificial watercourses (including farm drainage channels), the greater of:</p> <ul style="list-style-type: none"> <li>(a) 200m downstream; or</li> <li>(b) the property boundary.</li> </ul> <p>For lakes: Within a radius of 100m.</p>
<b>Recession Plane and Height Controls</b>	<p>as identified in Appendix 26.</p>

**Commented [ 47]:** RESOLVED:  
Omaka Valley Group Inc  
ENV-2020-CHC-34  
By consent order dated 31 January 2023

<b>Reclamation</b>	means the permanent infilling of the foreshore or seabed with sand, rock, quarry material, concrete, or other similar material, for any purpose, and includes any embankment, but does not include any structure above water where that structure is supported by piles, any rubble mound breakwater that does not have a vehicle access track, any deposition of material or infilling that is not permanent, or any infilling where the purpose of that infilling is to provide beach nourishment.
<b>Recognised navigational route</b>	<u>means a safe sea passage and commonly used by vessels navigating within that area. The recognised navigational route may be one used by commercial vessels to and from ports, and may also include pleasure craft routes which are normally used to navigate between popular destinations.</u>
<b>Recognised professional</b>	means a suitably qualified and experienced person in their field.
<b>Record of title</b>	has the same meaning as in Section 5 of the Land Transfer Act 2017 and, until a record of title is created for an estate or interest in land for which there is a computer register or certificate of title, includes the computer register or certificate of title.
<b>Recreation clubroom and ancillary building</b>	means a building, a room or a group of rooms that is used or intended to be used exclusively for the operation of recreation activities and the storage of equipment used for recreation activities.
<b>Recreation activity</b>	means any activity whose primary aim is the passive or active enjoyment of leisure on a non-profit basis, whether competitive or non-competitive, casual or organised, including changing rooms, shelters, public toilets and other buildings accessory to recreation activities.
<b>Recreational event</b>	means an activity involving physical exertion and skill that is governed by a set of rules or customs and often undertaken competitively, although administered by volunteers. An organised but non-commercial event, usually seasonal, club based activities, sometimes running as a series.
<b>Reef</b>	has the meaning set out in regulation 8 of the Resource Management National Environmental Standards for Marine Aquaculture Regulations 2020
<b>Register of Scheduled Sites</b>	as identified in Appendix 16.
<b>Register of Significant Heritage Resources</b>	as identified in Appendix 13.
<b>Relocated building</b>	means any previously used building which is transported in whole or in parts and re-located from its original site to its destination site; but excludes any prefabricated building which is delivered dismantled to a site for erection on that site and any building which is shifted within a site.
<b>Repair</b>	means the restoration to good or sound condition of any existing building or structure (or part of any existing building or structure) for the purpose of its maintenance. It includes reconstruction after damage caused by natural hazards.

**Commented [ 48]:** Aroma (NZ) Limited and Aroma Aquaculture Limited  
ENV-2020-CHC-45

**Commented [ 49]:** Clearwater Mussels Limited and Talley's Group Limited  
ENV-2020-CHC-55

**Commented [ 50]:** Marine Farming Assn Inc & Aquaculture NZ  
ENV-2020-CHC-74

<b>Re-refined oil</b>	means waste (used) oil that has been processed to remove impurities such as particulate, metals, solvents, volatiles, sulphur and chlorine.
<b>Reserve</b>	has the same meaning as in Section 2 of the Reserves Act 1977.
<b>Residential activity</b>	means the use of land and dwellings for the purpose of permanent living accommodation that people will generally refer to as their house or home and address while resident in Marlborough. For the avoidance of doubt, residential activity can also occur in community housing and in a holiday home. Residential activity does not include worker accommodation.
<b>Retail sales</b>	means the direct sale or hire to the public and the display or offering for sale or hire to the public of goods, merchandise or equipment but does not include direct marketing or network marketing.
<b>Retirement accommodation</b>	means accommodation purposefully developed for retirement housing.
<b>Retard</b>	means a permeable structure usually incorporating live willow poles affixed to ground to slow the water flow. When used in a braided gravel river this can cause deposition of gravel and formation of a new river bank edge. A rail iron retard uses rail irons driven into the ground to hold the willow poles in place. A cruxiform is a type of retard which uses willow poles weighted with gabions.
<b>Reverse sensitivity</b>	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 environmental effects generated by an existing activity.
<b>Riparian Natural Character Management Area</b>	as mapped on the <i>Riparian Natural Character Management Areas</i> Maps 1 to 8.
<b>River</b>	has the same meaning as in Section 2 of the Act.
<b>Road</b>	has the same meaning as in Section 315 of the Local Government Act 1974 and also includes new state highways, motorways, and shared use paths.
<b>Road Controlling Authority</b>	has the same meaning as in Section 5 of the Land Transport Management Act 2003.
<b>Road Hierarchy</b>	as identified in Appendix 17.
<b>Road failure</b>	means the abrupt collapse downslope of the road surface.
<b>Rock rip-rap</b>	means broken rock from a quarry that is placed on a river bank or on a coastal area to resist river flow bank erosion and coastal erosion.
<b>Run-off</b>	means water moving over the ground surface.
<b>Runway Protection Area: Woodbourne</b>	as identified on the Zone Map.

Commented [ 51]: By consent order dated 6 October 2022

<b>Rural industry</b>	means an industrial process, constructional engineers, horticultural packhouses and roading and cartage contractors workshops or yards where either: (a) 75% of the total business is with the rural sector and/or coastal marine area; or (b) The nature of the industry is such that it is inappropriately located within an urban or industrial zone.
<b>Rural selling place</b>	means any land, building or that part of a building on which farm produce is exchanged, sold, offered or displayed for sale either by wholesale and/or retail provided that in the case where a purchaser harvests the produce, the Rural Selling Place means any land, building or part of a building on or in which such produce is weighed, packaged and sold.
<b>Schedule of Designated Land</b>	as identified in Appendix 14.
<b>Scheduled Sites</b>	as identified on the Zone Map.
<b>Scheme Plan Requirements</b>	as identified in Appendix 7.
<b>Seabed</b>	means the submarine areas covered by the internal waters and the territorial sea.
<b>Sediment</b>	means particulate soil and/or organic matter.
<b>Sediment control measures</b>	means measures to intercept or divert run-off of water and to capture sediment.
<b>Sound Exposure Level (SEL)</b>	means the A-weighted sound pressure level that, if maintained constant for a period of one second, would convey the same sound energy to the receiver as is actually received from a given noise event.
<b>Sensitive activity</b>	Means any habitable building, camping grounds, schools, childcare and preschool facilities, and health care activities.
<b>Sensitive receptor</b>	means schools both public and private, licensed day care facilities, hospitals, and elder care facilities.
<b>Service activity</b>	means the use of land and buildings for the primary purpose of the transport, storage, maintenance or repair of goods, and activities ancillary to commercial activities such as mail processing, collection and distribution services.
<b>Service industry</b>	means activities that are directed at providing service as opposed to the production of goods and includes catering depots, laundries, steam pressing and dry cleaning premises, sign writing and sign making, caravan and motor vehicle rental premises, premises for the rental of household equipment and effects, fruit and produce markets, shoe repair and upholstery repair workshops, and household appliance repair workshops.

**Commented [ 52]:** Clause 16 – Update 8

**Commented [ 53]:** RESOLVED:  
Horticulture New Zealand  
ENV-2020-CHC-71  
By consent order dated 31 January 2023

<b>Service station</b>	means any site where the dominant activity is the retail sale of motor vehicle fuels and may also include any one or more of the following: <ul style="list-style-type: none"> <li>• the sale of kerosene, alcohol-based fuels, lubricating oils, tyres, batteries, vehicle spare parts and other accessories normally associated with motor vehicles;</li> <li>• mechanical repair and servicing of motor vehicles;</li> <li>• warrant of fitness testing;</li> <li>• the sale or hire of other merchandise where this is an ancillary activity to the main use of the site;</li> <li>• car washing facilities; and</li> <li>• the sale of food and beverages and the basic preparation of food on the service station premises.</li> </ul>
<b>Set interval</b>	means the time interval at which the Data Recording Device records and store data.
<b>Sewage</b>	includes treated or untreated human sewage.
<b>Sewerage</b>	means the pipes and infrastructure through which sewage flows.
<b>Ship</b>	has the same meaning as in Section 2 of the Maritime Transport Act 1994.
<b>Ship speed</b>	means speed of a ship measured relative to the speed of the adjacent water averaged over a period of approximately 5 minutes as determined from an accurate, appropriately calibrated and maintained hull-mounted instrument or, where such an instrument is not available or is faulty, calculated in accordance with Appendix 12.
<b>Side yard</b>	means a yard between a side boundary of the site and a line parallel to the side boundary extending: <ul style="list-style-type: none"> <li>• from the front yard to the rear yard;</li> <li>• if there is no front yard, from the front boundary to the rear yard;</li> <li>• if there is no rear yard, from the front yard or boundary, as the case may be, to the rear boundary of the site; or</li> <li>• if there are two or more front yards, from yard to yard.</li> </ul>
<b>Sign</b>	means any name, figure, character, outline, display, notice, placard, poster, banner of any kind, advertising device or appliance, or any other thing of a similar nature intended to attract attention; and <ol style="list-style-type: none"> <li>(a) includes all materials composing the sign, together with the frame, background, structure and support or anchorage of the sign;</li> <li>(b) includes any of the above listed things when fixed or mounted on any vehicle that is parked on a State Highway for the purpose of displaying that sign;</li> <li>(c) includes road safety billboards, pavement signs (except where located in the Business 1 Zone) and temporary local banners.</li> </ol>
<b>Significant Ridgeline</b>	as mapped on the <i>Landscape Maps</i> 1 to 11.
<b>Significant Wetland</b>	as identified on Zone Maps.

**Commented [ 54]:** RESOLVED:  
Te Rūnanga o Kaikōura and Te Rūnanga o Ngāi Tahu  
ENV-2020-CHC-46  
New definition: settlement land  
By consent order dated 25 March 2022

**Single land holding**

means an area of land held in either:

- (a) One Record of Title; or
- (b) More than one Record of Title where:
  - the land in the various Records of Titles are held in common ownership or leased under the same lease; and
  - the land in the Records of Title or lease are contiguous to each other; or
  - the Records of Title are held together by a covenant under Section 220 RMA.

**Site**

means:

- (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 administered 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 could be issued without further consent of the Council; or
- (d) in the case of land subdivided under the Unit Title Act 1972 or the cross lease system, a site is deemed to be the whole of the land subject to the unit development or cross lease; or
- (e) an area of land comprised in two or more Records of Title adjacent to each other where an activity is occurring or proposed; or
- (f) where there is no Record of Title for a property, the place or area where the activity takes place.

Where a right of way is employed, the line(s) defining the extent of that right of way on a survey plan shall not be included as the legal boundary but instead the inner boundary of the right of way closest to the building shall be treated as a legal boundary for the purpose of bulk and location controls for buildings.

~~in relation to a building or structure, means any area of land/or volume of space of sufficient dimensions to accommodate any complying activity provided for by a rule in the Plan:~~

- ~~(a) Corner site – will be deemed to be a ‘front site’;~~
- ~~(b) Front site – means a site having one frontage of not less than the minimum prescribed by the Plan for the particular zone in which the site is situated to a road, private road, or the sea; and~~
- ~~(c) Rear site – means a site that is situated generally to the rear of another site and that has not the frontage required for a front site for that use in the zone.~~

**Site of significance to Marlborough’s tangata whenua iwi**

[deleted]

**Skid failure**

means the abrupt collapse downslope of unconsolidated fill or bird nest material making up the outer margins of the skid site.

**Commented [ 55]:** Manawa Energy Limited (previously Trustpower Limited)  
ENV-2020-CHC-50

**Commented [ 56]:** Manawa Energy Limited (previously Trustpower Limited)  
ENV-2020-CHC-50

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Te Runanga o Ngati Kuia Trust  
ENV-2020-CHC-70  
By consent order dated 25 March 2022

<b>Skid site</b>	means an area where a log hauler is erected/operated, logs are stored, processed, and loaded onto trucks or barges for removal from the land.
<b>Ski season</b>	means the period from 1 March and 31 October in any year.
<b>Skifield activity</b>	means the use of land for summer and winter recreational activity, including activities, buildings and structures associated with the commercial operation of the skifield.
<b>Slash</b>	includes any tree waste left behind after <u>plantation forestry activities</u> .
<b>Slope</b>	means the angle of a hillslope from the horizontal, measured at right angles to the contour. Where compound slopes are involved, the slope will be taken as the average slope measured over a 50m length of the area of land being disturbed. Where there is doubt, the slope is to be measured at least to the accuracy of a hand held clinometer or better.
<b>Slope failure</b>	means the abrupt collapse downslope of natural ground.
<b>Small scale solid fuel burning appliance</b>	means an appliance designed to burn solid fuel or a mixture of those fuels for the purpose of domestic space heating with a net heat output of up to 40 kilowatts and includes: <ul style="list-style-type: none"> <li>• an open fire,</li> <li>• a pot belly stove,</li> <li>• a domestic range or stove,</li> <li>• a woodburner,</li> <li>• a pellet burner,</li> <li>• a multi-fuel burner.</li> </ul>
<b>Soak pit</b>	means an unfilled hole or a hole backfilled with media that creates a concentrated point of discharge and allows the rapid movement of wastewater to depth.
<b>Soil debris</b>	means soil, stony material and all sizes of rocks and any admixtures of these that is a by-product of harvesting and of the construction of skid sites, forestry roads, forestry tracks and river crossings.
<b>Soil Sensitive Area</b>	as mapped on the <i>Soil Sensitive Area</i> Maps 1 to 23.
<b>Solid waste</b>	means waste that exhibits the properties of a solid, e.g. it can be stacked and hold a definite angle of repose. For the purposes of the Plan, if any waste does not meet the definition of "solid waste" it is treated as liquid waste.
<b>Special event</b>	may be an irregular event, of a short term or temporary nature, which could involve large groups of people or is of such a character that the normal requirements relating to matters such as noise, parking and the like cannot be complied with. Includes entertainment, cultural events, sporting events, public meetings, galas, and market days.
<b>Specifically Identified Activities/Areas</b>	as identified in Appendix 16.

**Commented [ 58]:** Amendment to accurately reflect decision. Clause 16.

<b>Specifically Identified Marine Farms</b>	[deleted]
<b>Springlands Deferred Subdivision Area</b>	as identified in Appendix 23.
<b>Stationary Internal Combustion</b>	means an engine that is fixed in place or to the device to which it provides power, but which does not provide propulsion to the device. An engine in a usually mobile vehicle which is being tested during repair or maintenance whether in the vehicle or temporarily removed from it is not a stationary internal combustion engine for the purposes of this Plan.
<b>Stack</b>	in relation to the making of compost or silage, means solid agricultural material built into a pile above ground. For the purpose of this definition, no excavation of the land is to be undertaken.
<b>Steep Erosion-Prone Land</b>	as mapped on <i>Steep Erosion-Prone Land Maps</i> 1 to 10.
<b>STEM (Standard Tree Evaluation Method)</b>	means a point system used for tree assessments and establishing a threshold for the inclusion of trees on the Council's Schedule of Notable Tree (Appendix 13). Points allocated rate 20 tree attributes (3 to 27 points for each attribute) in three general categories of condition, amenity, and notable (special merit) qualities. The threshold set for the Marlborough Environment Plan is 150 points.
<b>Stockpiling</b>	means the storage of raw agricultural solid waste (or material) above ground in order to have it available in the future when the need for it increases. For the purpose of this definition, no excavation of the land is to be undertaken.
<b>Stopbank (or floodbank)</b>	means a deliberately made raised section of ground or structured wall usually parallel to a river preventing flood flows inundating land.
<b>Stormwater</b>	means rainfall run-off from land, including contaminated impervious areas such as roads, pavements and urban areas, that is diverted and discharged to land and water.
<b>Structure</b>	has the same meaning as in Section 2 of the Act and includes an underwater cable.
<b>Sub alpine vegetation</b>	means low stature vegetation (less than 1m in height), and includes herbs, grasses and shrubs, occurring at altitudes between 1000m and 1500m above sea level.
<b>Surface water</b>	means water contained in lakes, wetlands, drainage channel, rivers, streams, either permanently or intermittently. As opposed to groundwater.
<b>Supermarket</b>	A retail shop where a comprehensive range of predominantly domestic supplies and convenience goods and services are sold for the consumption or use off the premises and includes lotto shops and pharmacies located within such premises and where liquor licences are held for each premise.
<b>Swing mooring</b>	does not include a pile mooring or a floating structure or an anchor that is normally removed with the vessel or other floating structure.
<b>Tangata whenua</b>	has the same meaning as in Section 2 of the Act.

**Commented [ 59]:** Clause 16

**Commented [ 60]:** Marine Farming Association and Aquaculture New Zealand  
ENV-2023-CHC-61  
New definition

**Commented [ 61]:** Sanford Limited  
ENV-2023-CHC-73  
New definition



<b>Taonga raranga</b>	has the same meaning as in Section 2 of the Act.
<b>Tauranga waka</b>	has the same meaning as in Section 2 of the Act.
<b>Telecommunication facility</b>	means any telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication, and includes any associated GPS unit or lightning rod.
<b>Telecommunication line</b>	has the same meaning as "lines" in Section 5 of the Telecommunications Act 2001.
<b>Temporary military training</b>	means a temporary training activity undertaken for defence purposes in accordance with the Defence Act 1990.
<b>Temporary sign</b>	means a sign established for the purpose of advertising a single forthcoming temporary event, erected or displayed on any public place or private premises, and displayed only for a limited period of time specified by the rules in this Plan.
<b>Temporary event</b>	means the short term or intermittent use of any land or building for an activity not carried out on the site on a regular basis, or the carrying out of an activity outside the limits on hours or scale prescribed in Plan standards. Any event for which a Special Licence under the Sale of Liquor Act is required shall be deemed to be a temporary event. It does not include short term social or cultural gatherings where these are ancillary to a permitted activity or in compliance with the standards and terms for permitted activities.
<b>Threatened Environments – Indigenous Vegetation Sites</b>	as mapped on the <i>Threatened Environments</i> Maps 1 to 9.
<b>Tikanga Māori</b>	has the same meaning as in Section 2 of the Act.
<b>Topsoil</b>	means the soil forming the A horizon of a soil profile, being the dark soil layer between the top layer of humus and the subsoil.
<b>Total gross floor area</b>	means the sum of the gross area of floor of a building or buildings measured from the exterior walls or from the centre lines of walls separating two buildings; provided that, in the case of a shop, any land on which goods are offered or displayed for sale by retail must be included in the area calculation.
<b>Transfer of water permit</b>	refers to the transfer of a water permit, in whole or part, to any other owner or occupier within the catchment. It does not refer to the physical movement of water.
<b>Tree Protection Zone</b>	means a specified area above and below ground and at a given distance from the trunk, set aside for the protection of a tree's roots and crown to provide for the viability and stability of a tree to be retained where it is potentially subject to damage by development. The radius of the Tree Protection Zone (TPZ) is calculated for each tree by multiplying its diameter at breast height (DBH) x 12 where the DBH is the trunk diameter measured at 1.4m above ground. (TPZ = DBH x 12).

<b>Trade Supplier</b>	means business engaged in sales to businesses, and may include sales to the general public, but wholly consists of sales in one or more of the following categories: (a) Automotive and marine supplies. (b) Buildings supplies, including household fixtures, timber, tools, paint, wallpaper and plumbing supplies. (c) Garden and landscaping supplies. (d) Farming and agricultural supplies. (e) Hire services (excluding hire of books, DVD and video).
<b>Upgrading of forestry roads, forestry tracks or skid sites</b>	Means widening or realignment of forestry roads, forestry tracks or skid sites.
<b>Utility</b>	has the same meaning as network utility operator in Section 166 of the Act.
<b>Vegetation</b>	includes trees, shrubs, plants and grasses.
<b>Vegetation clearance</b>	means the destruction or the removal of indigenous and exotic plant vegetation, including by cutting, burning, cultivation, crushing, spraying or chemical treatment but does not include: (a) Commercial forestry harvesting that is managed under the National Environmental Standards for Commercial Forestry 2017, carbon sequestration forestry harvesting and woodlot forestry harvesting; (b) mowing and domestic gardening activities where they relate to non-indigenous vegetation; or (c) customary harvest in accordance with tikanga undertaken by Marlborough's tangata whenua iwi.  For the purposes of this Plan, customary harvest must be undertaken in accordance with Tikanga. Tikanga protocols are about sustainability as tikanga requires there is always something to regenerate what is taken. This influences when, where and how customary harvest can occur. Customary harvest is undertaken in a sustainable way to protect the taonga resources for future generations. Where it involves the removal of trees from an area, a maximum of two trees may be taken, leaving remaining trees to regenerate. Customary harvest may be undertaken for a range of reasons, including but not limited to, medicinal uses, ceremonial uses, carving, weaving or for kai.
<b>Vehicle oriented activities</b>	means commercial activities that rely by nature of their commercial activity, on high vehicle volumes being sited on or driving through their own premises and includes service stations, truck stops, supermarkets, shopping centre complexes, and drive-in or drive through retail outlets.
<b>Vertebrate toxic agent</b>	means a trade name product used to kill, control or limit the viability of vertebrate pests (such as rabbits, possums). Vertebrate toxic agents include products that have a negative effect on reproduction but do not include attractant or repellent substances that are not toxic.
<b>Vessel</b>	has the same meaning as "ship" in Section 2 of the Maritime Transport Act 1994.

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By consent order dated 12 May 2023

<b>Veterinary clinic</b>	means premises used by a veterinary surgeon but excludes the boarding of animals other than for their hospitalisation.
<b>Visitor accommodation</b>	means the use of land and buildings for short-term commercial accommodation and includes ancillary services such as food preparation, dining and sanitary facilities, conference and associated recreational facilities for those staying at the visitor accommodation but excludes holiday homes.
<b>Waikawa Bay</b>	means that part of the coastal marine area to the south of a line extending from the Snout to Karaka Point, including any area within a Moorings Management Area.
<b>Waikawa Marina Zone</b>	as identified in Appendix 10.
<b>Wairau Dry Hills High Amenity Landscape</b>	as mapped on the <i>Landscape</i> Maps 1 to 11 and described in Appendix 1.
<b>Wairau Plain Area</b>	as mapped on the <i>Wairau Plain Area</i> Maps 1 to 8.
<b>Warehousing</b>	means the bulk storage of goods for redistribution.
<b>Waste</b>	means: (a) anything disposed of or discarded; and (b) includes a type of waste that is defined by its composition or source (for example, organic waste, electronic waste, or construction and demolition waste); and to avoid doubt, includes any component or element of diverted material, if the component or element is disposed of or discarded.
<b>Water</b>	has the same meaning as in Section 2 of the Act.
<b>Waterbody</b>	has the same meaning as in Section 2 of the Act.
<b>Water control measure</b>	means the use of one or more methods to manage the erosive and destabilising effects of run-off water.
<b>Water quantity allocation limit</b>	as identified in Appendix 6.
<b>Water Resource Unit</b>	as shown on the <i>Water Resource Units</i> Map and described in Schedule 1 in Appendix 5.
<b>Water Resource Unit Values and Water Quality Classification Standards</b>	as identified in Appendix 5.
<b>Wave energy</b>	means the excess of total energy of progressive waves over the energy of still water integrated over a wave length per unit of wave-crest length assessed at a 3m water depth at sites that comply with the parameters specified in Appendix 12.
<b>Wave record</b>	means any record of the ship-generated vertical displacement of the seawater surface as a function of time derived at any location within the National Transportation Route that meets the requirements of Clause 3 of Appendix 12.

<b>Wind turbine</b>	means a device used to extract kinetic energy from the wind for electrical generation and includes any wind farm.
<b>Wetland</b>	has the same meaning as in Section 2 of the Act.
<b>Winery</b>	means a facility for the processing of grapes or other fruit for the production of wine, or juice for the subsequent production of wine, and the associated blending, storage, bottling or packaging of wine and includes all buildings and plant associated with those activities.
<b>Woodlot forestry</b>	means the planting, replanting and maintenance of indigenous or exotic trees for non-commercial purposes provided that no more than 2 hectares or 5% of land, whichever is greater, is planted on land within any one Record of Title. Woodlot forestry does not include conservation planting.
<b>Woodlot forestry harvesting</b>	means the felling of trees for the purposes of Woodlot Forestry, and includes excavation and/or filling to prepare the land for harvesting, de-limbing, trimming and cutting to length of felled trees and recovery of windfall and other fallen trees, but does not include thinning or felling of trees that are to be used for domestic purposes on the same property the trees were grown.
<b>Worker accommodation</b>	means the use of land and buildings for accommodating the short term labour requirements of a farming activity where the accommodation is provided where the farming activity occurs. Worker accommodation does not include residential activity.
<b>Worker Accommodation Area</b>	as identified in Appendix 24.

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Appeals