

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	Tony Michelle	73.1	Amend	Considers that a new definition should be included to recognise agricultural aviation's vital importance to primary production activities.	Amend the Definitions section by including the following: <u>Agricultural aviation activity means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, frost mitigation, biosecurity, or biodiversity purposes including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's)</u>	Open Submission
Definitions /Definitions /General	Tony Michelle	73.2	Amend	The submitter seeks to define a helicopter landing area for agricultural helicopter operations.	Amend the Definitions Section by including the following: <u>Helicopter landing area means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing.</u>	Open Submission
Definitions /Definitions /PRIMARY PRODUCTION	Tony Michelle	73.3	Support	Considers that the definition of Primary Production should be retained as per the National Planning Standards.	Retain the definition of Primary Production in the Definitions Section as notified.	Open Submission
Definitions /Definitions /General	Tony Michelle	73.4	Amend	The submitter considers that a new definition for Rural Airstrip should be added for agricultural aviation activities.	Amend the Definitions Section by including the following: <u>Rural airstrip means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u>	Open Submission
Definitions /Definitions /EARTHWORKS	Rebecca Eng	99.2	Support	Support definition as it is consistent with the National Planning Standard.	Retain the definiton.	Open Submission
Definitions /Definitions /ELECTRICITY TRANSMISSION	Rebecca Eng	99.3	Support	Definition supported on the basis it will assist with plan interpretation in providing clarity as to the assets forming part of the National Grid.	Retain the definition	Open Submission
Definitions /Definitions /FUNCTIONAL NEED	Rebecca Eng	99.4	Support	Support definition as it reflect the National Planning Standard.	Retain the definiton	Open Submission
Definitions /Definitions /OPERATIONAL NEED	Rebecca Eng	99.5	Support	Definition is supported as it reflects the National Planning Standard.	Retain the definiton	Open Submission
Definitions /Definitions /INFRASTRUCTURE	Rebecca Eng	99.6	Support	The definiton reflects that provided in the RMA and is therefore supported.	Retain the definition	Open Submission
Definitions /Definitions /LAND DISTURBANCE	Rebecca Eng	99.7	Support	The definition reflects that provided in the National Planning Standards and is therefore supported.	Retain the definition.	Open Submission
Definitions /Definitions /NATIONAL GRID	Rebecca Eng	99.8	Support	The definition is supported on the basis it will assist with plan interpretation in providing clarity as to the assets forming part of the National Grid.	Retain the definition	Open Submission
Definitions /Definitions /NATIONAL GRID SUBDIVISION CORRIDOR	Rebecca Eng	99.9	Amend	An amendment is sought to reflect the need to allow for cable swing during high winds, and to reflect the existing transmission assets within the district (being 110kv and 220kv lines both on towers). There are no poles or pi-poles in the city (noting the extent of actual assets within Napier is very limited). Amendment is sought to clarify how to measure the setbacks.	Amend the definition as follows: NATIONAL GRID SUBDIVISION CORRIDOR the area measured either side of the centreline of above ground National Grid line (identified on the planning maps as "Napier Transmission Lines") as follows: <ul style="list-style-type: none"> ▲ 14m for 110kV national grid lines on single poles ● 32m for 110kV transmission lines on towers * 37m for 220kV transmission lines 	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /NATIONAL GRID YARD	Rebecca Eng	99.11	Amend	Transpower seeks amendment to the definition to reflect there are no poles in the district, amendment to make it clear but clauses a) and b) apply, and amendment to remove repetitive wording within the clauses.	Amend the definition and image as follows: NATIONAL GRID YARD means the area located within: a. 12 metres in any direction from the outer visible edge of a "National Grid" support structure foundation; and or b. the area located within 10m either side of the centreline of an overhead 110kV National Grid line on single poles; and or b. c. the area located within 12 metres either side of the centreline of any overhead "National Grid" transmission line on towers (including tubular steel towers where these replace steel lattice towers). The National Grid Yard does not apply to underground cables or any transmission lines (or sections of line) that are designated. The measurement of setback distances from National Grid lines shall be taken from the centre line of the transmission line and the outer edge of any support structure. The centre line at any point is a straight line between the centre points of the two support structures at each end.	Open Submission
Definitions /Definitions /NETWORK UTILITY OPERATOR	Rebecca Eng	99.12	Support	The definiton reflects that provided in the RMA and is therefore supported.	Retain the definiton.	Open Submission
Definitions /Definitions /OPERATIONAL NEED	Rebecca Eng	99.13	Support	The definiton reflects that provided in the Natonal Planning Standards and is therefore supported.	Retain the definition.	Open Submission
Definitions /Definitions /REVERSE SENSITIVITY	Rebecca Eng	99.14	Support	Support the definition. The concept recognises the relationship between existing activities and incompatible new or altered activities.	Retain the definiton	Open Submission
Definitions /Definitions /SENSITIVE ACTIVITIES	Rebecca Eng	99.15	Support	Support the definition, recognising that the definition applies in relation to a range of activities in the rural environment (not just the National Grid).	Retain the definition	Open Submission
Definitions /Definitions /SIGNIFICANT NATURAL AREA	Rebecca Eng	99.16	Support	Support definition.	Retain the definition	Open Submission
Definitions /Definitions /COMMUNITY CORRECTIONS ACTIVITY	Andrea Millar	105.1	Support	Supports the definition of "community corrections activity", considers it consistent with the National Planning Standards and considers Community corrections activities are essential social infrastructure and play a valuable role in reducing reoffending.	Retain the definition of "community corrections activity".	Open Submission
Definitions /Definitions /General	Andrea Millar	105.2	Oppose	Considers there is no definition for households related to "residential units" Considers this is needed to clarify that a household is not necessarily limited to a family unit or a flatting arrangement (more commonly perceived household situations)	Insert a definition of "household" as follows: HOUSEHOLD means a person or group of people who live together as a unit whether or not: a. any or all of them are members of the same family; or b. one or more members of the group receives care, support and/or supervision (whether or not that care, support and/or supervision is provided by someone paid to do so).	Open Submission
Definitions /Definitions /RESIDENTIAL CARE FACILITY	Andrea Millar	105.3	Oppose	Opposes the inclusion of residential care facility considering the definition of "residential activity" entirely captures supported and transitional accommodation activities, such as those provided for by Ara Poutama. The proposed definition of "residential care facility" would not otherwise apply to the residential activities Ara Poutama provides. Including a reference to "charitable institutions" within the definition of "residential care facility" creates uncertainty as to whether residential accommodation provided by a charity is actually something other than a "residential activity".	Amend the definition of "residential care facility" as follows: RESIDENTIAL CARE FACILITY means the use of land and/or buildings such as an old persons' home, convalescent home, nursing home, rest home, women's or men's refuge, hospital, or hostel, or charitable institution in which board and lodging or lodging alone is provided or intended to be provided. This does not include a day care centre, travellers' accommodation, or a retirement complex.	Open Submission
Definitions /Definitions /RESIDENTIAL ACTIVITY	Andrea Millar	105.4	Support	Supports definition of "residential activity" and considerst it with the National Planning Standards. Considers the definition to provide for reintegration and rehabilitation support and social and cultural well-being and for their health and safety.	Retain the definition of "residential activity".	Open Submission
Definitions /Definitions /RESIDENTIAL UNIT	Andrea Millar	105.5	Support	Supports definition of "residential unit" and considerst it with he National Planning Standards. Considers the definition to provide for reintegration and rehabilitation support and social and cultural well-being and for their health and safety.	Retain the definition of "residential unit".	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	Jimmy Guerin	134.1	Amend	The submitter considers that agricultural aviation is vitally important in protecting and maintaining primary production and as such it should be recognised and provided for in the PDP.	Amend Definitions Section by inserting the following: <u>Agricultural aviation activity means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, frost mitigation, biosecurity, or biodiversity purposes including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's)</u>	Open Submission
Definitions /Definitions /General	Jimmy Guerin	134.2	Amend	The submitter seeks to define a helicopter landing area for agricultural helicopter operations.	Amend the Definitions Section by including the following: <u>Helicopter landing area means any area of land, building, or structure intended or designed to be used, whether wholly or partly, for helicopter movement or servicing</u>	Open Submission
Definitions /Definitions /PRIMARY PRODUCTION	Jimmy Guerin	134.3	Support	The submitter considers the Definition of Primary Production as per the National Planning Standards is appropriate	Retain the Definition of Primary Production in the Definitions Section as notified.	Open Submission
Definitions /Definitions /General	Jimmy Guerin	134.4	Amend	The submitter considers that a new Definition for Rural Airstrip should be added for agricultural aviation activities.	Amend the Definitions Section by including the following: <u>Rural airstrip means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u>	Open Submission
Definitions /Definitions /ALTERATION OR ADDITION	Sera Chambers	150.110	Amend	considers that it is not clear from the section how people are made aware that 30% of their land could be removed if classified heritage.	seeks to amend to include how people will be made aware that 30% of their land could be removed if classified heritage.	Open Submission
Definitions /Definitions /ANTENNA	Tom Anderson	151.2	Amend	Support having a definition, but the origin of the definition should be included, being the National Environmental Standard for Telecommunication Facilities 2016	Amend the definition to <u>has the same meaning as Section 4 of the Resource Management (National Environmental Standards for Telecommunication Facilities) Regulations 2016 being: means a device that receives or transmits radiocommunication or telecommunication signals, but not a small cell unit</u>	Open Submission
Definitions /Definitions /CABINET	Tom Anderson	151.3	Amend	Seeks amendment as per the definition for Antenna, include the NESTF as the origin for the definition.	Amend to use same introductory wording as per the Antenna definition	Open Submission
Definitions /Definitions /FUNCTIONAL NEED	Tom Anderson	151.4	Support	Supports the definition of functional need	Retain the definition of functional need	Open Submission
Definitions /Definitions /INFRASTRUCTURE	Tom Anderson	151.5	Support	Supports the definition of infrastructure.	Retain the definition of infrastructure	Open Submission
Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	Tom Anderson	151.6	Support	Supports definition of maintenance for network utilities	Retain the definition of maintenance (network utilities) as notified	Open Submission
Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	Tom Anderson	151.7	Oppose	Opposes as there is no need for the definition, as the parameters as to what constitutes minor upgrading are effectively defined in INF-R2	Delete the definition	Open Submission
Definitions /Definitions /NETWORK UTILITY	Tom Anderson	151.8	Support	Supports definition of network utility	Retain the definition of network utility as notified.	Open Submission
Definitions /Definitions /NETWORK UTILITY OPERATOR	Tom Anderson	151.9	Support	Supports definition of network utility operator	Retain the definition of network utility operator as notified.	Open Submission
Definitions /Definitions /REVERSE SENSITIVITY	Tom Anderson	151.1	Amend	Supports the definition of reverse sensitivity, however it is unclear what the term "vulnerable" means in the definition as notified	Amend the definition as follows means the vulnerable 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 the existing activity or structure.	Open Submission
Definitions /Definitions /TEMPORARY INFRASTRUCTURE	Tom Anderson	151.11	Support	Supports definition of temporary infrastructure	Retain the definition of temporary infrastructure as notified.	Open Submission
Definitions /Definitions /UPGRADING (NETWORK UTILITIES)	Tom Anderson	151.12	Amend	Supports a definition of upgrading and it is noted the definition differentiates from 'maintenance' which is also a defined term in the PDP. Considers that 'Minor Upgrading of Network Utilities' is also defined in the PDP, and the definition of upgrading should also differentiate from that term.	Amend the definition as follows:as it applies to network utilities, means the replacement, repair or renewal or improvement or increase in carrying capacity, operational efficiency, security or safety of existing network utilities but excludes 'maintenance' and 'minor upgrading of network utilities'.	Open Submission
Definitions /Definitions /INFRASTRUCTURE	Tom Anderson	151.16	Support	Supports definition of infrastructure	Retain the definition of infrastructure	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /	Tom Anderson	151.19	Amend	Considers that a definition of 'Significant Infrastructure' is needed, as this is a term which is defined elsewhere in the PDP. Notes that the Hawke's Bay RPS has a definition of 'Strategic Infrastructure' which is out of date, but includes reference to 'strategic telecommunications networks'. The PDP definition of significant infrastructure should be based on the RPS definition of strategic infrastructure, but include reference to 'telecommunication networks' not 'strategic telecommunications networks'	Add a definition of Significant Infrastructure and ensure that it includes reference to telecommunication networks	Open Submission
Definitions /Definitions /OPERATIONAL NEED	Tom Anderson	151.70	Support	Supports as the definition is as per the National Planning Standards, and is appropriate	Retain the definition as notified	Open Submission
Definitions /Definitions /OPERATIONAL NEED	Tom Anderson	151.72	Support	Supports the definition of Operational Need	Retain the definition	Open Submission
Definitions /Definitions /ROAD	Tom Anderson	151.73	Support	The definition of Road	Retain the definition of Road	Open Submission
Definitions /Definitions /ROOT PROTECTION AREA	Tom Anderson	151.77	Support	Supports as the definition is clear and appropriate.	Retain the definition as notified.	Open Submission
Definitions /Definitions /SIGN	Tom Anderson	151.78	Amend	Supports The definition , although explicit recognition of signs associated with infrastructure should be included.	Amend the definition as follows: SIGN means any device, character, graphic or electronic display, whether temporary or permanent; which a. is for the purposes of— i. identification of or provision of information about any activity, property or structure or an aspect of public safety; ii. providing directions; or iii. promoting goods, services or events; iv. <u>provision of information concerning infrastructure</u> ; and b. is projected onto, or fixed or attached to, any, structure or natural object; and c. includes the frame, supporting device and any ancillary equipment whose function is to support the message or notice	Open Submission
Definitions /Definitions /HIGHLY PRODUCTIVE LAND	James Witham	165.3	Support	Gives effect to the National Policy Statement for Highly Productive Land	Retain definition as notified	Open Submission
Definitions /Definitions /SENSITIVE ACTIVITIES	James Witham	165.4	Support	Supports definition as it appropriately identifies activities which require high levels of amenity.	Retain definition as notified.	Open Submission
Definitions /Definitions /SPECIAL AUDIBLE CHARACTERISTIC	James Witham	165.5	Support	Supports the provision as appropriate and necessary to consider certain noise measurement.	Retain definition as notified	Open Submission
Definitions /Definitions /VERSATILE LAND	James Witham	165.6	Support	Supports the inclusion of this definition as appropriate and gives effect to the National Policy Statement for Highly Productive Land.	Retain definition as notified.	Open Submission
Definitions /Definitions /General	James Witham	165.7	Amend	Considers nationally district plans are moving towards the use of the term 'frost fans'. Seeks amendment to expand on the definition of 'crop protection devices' and ensure national consistency.	Include the following definition as follows or alternative and any consequential relief required to address the matters raised in the submission: <u>Frost fan</u> <u>Frost fan means a land based device designed or adapted to mitigate frost damage by fanning warmer air over potentially frost affected surfaces and includes:</u> a. <u>Fan blades;</u> b. <u>Motive source;</u> c. <u>Support structure/tower</u> d. <u>Plinth</u> e. <u>Associated probes and communications and networking devices</u>	Open Submission
Definitions /Definitions /General	James Witham	165.8	Amend	Considers the term 'non-rural' is unclear in what it applies to as a number of activities are provided for in rural areas as permitted activities, potentially including residential dwellings. Seeks clarity that this is not what is intended as a 'rural activity' for interpretation	Include the following definition as follows or alternative and any consequential relief required to address the matters raised in the submission: <u>Non-rural activities</u> <u>any activity that is not a primary production activity, or ancillary or accessory to primary production located in a rural zone</u>	Open Submission
Definitions /Definitions /General	James Witham	165.9	Amend	Considers the definition of 'reverse sensitivity' is narrow and only applies in circumstances where activities are established and more sensitive activities establish later. Notes that the National Policy Statement for Highly Productive Land directs priority to be given to land based primary production on Highly Productive Land, regardless of when it is established. Notes that the Objectives and Policies of the Proposed District Plan supports primary production on Versatile Soils and the Rural Production Zone generally. Considers that where sensitive activities are established and there is a change from one land based primary production activity to another, the term 'reverse sensitivity' does not apply, but the effects of land based primary production should be prioritised and sensitivity issues managed.	Include the following definition as follows or alternative and any consequential relief required to address the matters raised in the submission: <u>Sensitivity effects</u> <u>means the vulnerable potential for the operation of a not yet established activity, but prioritised in its location above other activities sensitive to its actual or potential effects, to be compromised, constrained, or curtailed by the presence or establishment or alteration of another activity which may be sensitive to the actual, potential or perceived adverse effects generated by the prioritised activity.</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /ACTIVITIES SENSITIVE TO NOISE	Sheena McGuire	168.2	Oppose	Considers that this definition is duplication of 'Noise Sensitive Activity'. Seeks deletion of this definition and reliance on one definition for clear and consistent interpretation and application of the plan.	Delete definition	Open Submission
Definitions /Definitions /FUNCTIONAL NEED	Sheena McGuire	168.3	Support	Supports definition as proposed.	Retain as proposed	Open Submission
Definitions /Definitions /General	Sheena McGuire	168.4	Amend	Seeks the inclusion of a definition of High Land Transport Noise Control Overlay for clarity. This submission point aligns with other submitters other submission points on the Noise Chapter and Planning Maps seeking the inclusion of provisions and amendment to the High Land Transport Noise mapped overlay extent.	Add new definition as follows: High Land Transport Noise Control Overlay <u>means the area potentially affected by noise between a railway corridor boundary or State Highway boundary and a distance of 100m. High Land Transport Noise Control Overlay shown on the planning maps identifies areas that have the potential to experience high noise levels from rail and road traffic. New buildings and alterations to habitable rooms in buildings used for sensitive land uses are required to demonstrate that adverse noise effects have been appropriately managed by demonstrating compliance with the standards specified in the Noise Chapter.</u>	Open Submission
Definitions /Definitions /INFRASTRUCTURE	Sheena McGuire	168.5	Support	Supports as the definition as proposed which as the same meaning as the RMA definition, is supported by KiwiRail, noting clause (g) includes rail.	Retain as proposed	Open Submission
Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	Sheena McGuire	168.6	Support	Supports maintenance definition that includes replacement, repair or renewal works necessary to continue the operation and/or functioning of an existing network utility.	Retain as proposed	Open Submission
Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	Sheena McGuire	168.7	Support	Supports minor upgrading of network utilities including increasing efficiency and capacity of network utilities if similar in scale and character.	Retain as proposed	Open Submission
Definitions /Definitions /NETWORK UTILITY	Sheena McGuire	168.8	Support	Supports reference to Network Utility Operator which includes KiwiRail.	Retain as proposed	Open Submission
Definitions /Definitions /NETWORK UTILITY OPERATOR	Sheena McGuire	168.9	Support	Supports the use of the RMA meaning of Network Utility Operator, which includes a person who constructs and operates a railway line. This approach supports the integrated management and provision of key infrastructure.	Retain as proposed	Open Submission
Definitions /Definitions /NOISE SENSITIVE ACTIVITY	Sheena McGuire	168.10	Amend	Seeks amendment to the definition of Noise Sensitive Activity to specify a consistent list of noise sensitive activities to assist with the clear interpretation of the proposed plan. The recommended relief considers the proposed definitions for 'Activities Sensitive to Noise' and 'Noise Sensitive Activity' and seeks to provide a clear definition that captures activities as intended.	Amend as follows: Any use of land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby land uses in the course of their legitimate operation and functioning, and for the purposes of this plan <u>means any lawfully established:</u> <u>(a) Residential activity including activity in visitor accommodation, retirement accommodation, boarding houses, office accommodation and papakainga;</u> <u>(b) Educational activity;</u> <u>(c) Health care activity, including hospitals;</u> <u>(d) Congregation within any place of worship; and</u> <u>(e) Activity at a marae.</u> includes day care centres, education facilities (but not any trade training or other industry related educational facility), health care centres, hospitality activities, office accommodation, places of assembly, residential activities, retirement complexes, travellers' accommodation, and camping grounds.	Open Submission
Definitions /Definitions /NOISE SENSITIVE SPACE	Sheena McGuire	168.11	Support	Supports definition as proposed, subject to 'Noise Sensitive Activity' definition amendments.	Retain as proposed	Open Submission
Definitions /Definitions /OPERATIONAL NEED	Sheena McGuire	168.12	Support	Supports definition as proposed.	Retain as proposed	Open Submission
Definitions /Definitions /PORT NOISE	Sheena McGuire	168.13	Support	Notes that Napier Port Branch is used to transport freight to and from Napier Port. Supports inclusion of rail activities related to port activities within this definition.	Retain as proposed	Open Submission
Definitions /Definitions /PORT RELATED ACTIVITIES	Sheena McGuire	168.14	Support	Supports the inclusion of rail activities within this definition. Submitter operates the Napier Port Branch and it is important to include rail activities within this definition to accurately capture all port activities within Napier City.	Retain as proposed	Open Submission
Definitions /Definitions /General	Sheena McGuire	168.15	Amend	Seeks the inclusion of a new definition of Rail Vibration Alert Area Overlay for clarity. This submission point aligns with other submission points on the Noise Chapter and Planning Maps seeking the inclusion of new introductory text and a mapped overlay.	Add new definition as follows: Rail Vibration Alert Area Overlay <u>means the area potentially affected by vibration between a railway corridor boundary and a distance of 60m.</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	Sheena McGuire	168.16	Amend	Regionally Significant Infrastructure is a term that is used in the Plan. Seeks inclusion of a definition of this term, including rail, for clear interpretation of the Plan.	Add new definiton of Regionally Significant Infrastructure which includes the rail network.	Open Submission
Definitions /Definitions /REVERSE SENSITIVITY	Sheena McGuire	168.17	Amend	Supports the definition of reverse sensitivity subject to amendment. Seeks amendment to recognise that in the context of rail, activities are more than operation of the railway and the definition also needs to encompass ongoing maintenance of the rail network including rail yards. It is appropriate to recognise the vulnerability of existing, lawfully established activities such as the rail network to other activities in the vicinity which may be sensitive to adverse environmental effects.	Amend as follows: means the vulnerable potential for the <u>development, upgrading, operation and maintenance</u> 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 the existing activity or structure.	Open Submission
Definitions /Definitions /SENSITIVE ACTIVITIES	Sheena McGuire	168.18	Amend	Seeks clarification on whether this definition includes retirement accommodation.	Amend for consistency with 'Noise Sensitive Activity' list.	Open Submission
Definitions /Definitions /General	Sheena McGuire	168.19	Amend	Seeks the inclusion of a definition of Transport Network. Transport network is a term is used throughout the Plan and for clarity, KiwiRail seeks a definition which includes the rail network.	Add new definiton of Transport Network which includes the rail network.	Open Submission
Definitions /Definitions /UPGRADING (NETWORK UTILITIES)	Sheena McGuire	168.20	Support	Supports the specific ability to improve or increase the safety or efficiency of existing infrastructure as defined as upgrading.	Retain as proposed	Open Submission
Definitions / /	Fleur Lincoln Napier City Council	171.15	Amend	There is currently no definiton of passive recreation or informal recreation in the proposed District Plan. This would be useful to link to rules for these less organized/active recreation activities in zones such as the Te Whanganui-a- Orotū (Ahuriri Estuary) Stormwater and Ecology Special Zone (AESZ).	Introduce definition of "passive recreation" consistent with or similar to the following: Means any recreation activity where the principal aim is the enjoyment of <u>leisure of a primarily non competitive casual nature that does not involve the use of vehicles (excluding bicycles) and motorised equipment and also excludes any organised sport and freedom camping (responsible camping). It includes amenity and conservation plantings, habitat restoration and enhancement, children's playgrounds, seating and tables, barbeque facilities, pedestrian walkways, cycleways, jogging tracks, viewing platforms and lookouts, the erection and use of information boards, directional signage, fencing, public artwork/sculptures, public toilets and other buildings and structures necessary for the maintenance and operational needs of the recreation area and associated carparking.</u>	Open Submission
Definitions /Definitions /DEVELOPMENT	Powerco Limited - Gary Scholfie	172.3	Amend	Powerco is concerned that the definiton would inappropriately capture infrastructure. The term is utilised to broadly characterise development in the Strategic Direction and Financial Contributions chapters, however it should not apply to infrastructure. Clearly it would be inappropriate to apply such a consideration to gas networks. It is noted that the term 'infrastructure' is individually referenced throughout these chapters.	Amend as follows: DEVELOPMENT means the erection or placement of buildings and structures, and/or the resurfacing of land, <u>but excludes infrastructure.</u>	Open Submission
Definitions /Definitions /EARTHWORKS	Powerco Limited - Gary Scholfie	172.4	Support	Powerco supports this natonal planning standards definiton.	Retain as drafted.	Open Submission
Definitions /Definitions /FUNCTIONAL NEED	Powerco Limited - Gary Scholfie	172.5	Support	Powerco supports this natonal planning standards definiton.	Retain as drafted.	Open Submission
Definitions /Definitions /INFRASTRUCTURE	Powerco Limited - Gary Scholfie	172.6	Support	Powerco supports this definiton as contained in s2 of the RMA.	Retain as drafted.	Open Submission
Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	Powerco Limited - Gary Scholfie	172.7	Amend	Powerco generally supports this definiton however specific reference to pipelines needs to be included.	Amend as follows: MAINTENANCE (NETWORK UTILITIES) any replacement, repair or renewal work or activity necessary to continue the operation and/or functioning of an existing network utility. Includes the replacement of an existing line, <u>pipeline</u> , building, structure or other facilities with another of the same or similar height, size and scale, within the same or similar position and for the same or similar purpose. Also includes the addition of extra lines to existing or replacement poles or other support structures.	Open Submission
Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	Powerco Limited - Gary Scholfie	172.8	Amend	Powerco supports the need for this definiton, however it needs to be clear that replacement structures or networks are anticipated under this definition. Upgrading works often entail replacement components.	Amend as follows: MINOR UPGRADING OF NETWORK UTILITIES means an increase in the capacity, efficiency, or security of existing infrastructure where this utilises existing structures and networks and/or <u>replacement</u> structures and networks of a similar scale and character.	Open Submission
Definitions /Definitions /NETWORK UTILITY	Powerco Limited - Gary Scholfie	172.9	Support	Powerco supports this definiton and the clarity which it provides.	Retain as drafted.	Open Submission
Definitions /Definitions /NETWORK UTILITY OPERATOR	Powerco Limited - Gary Scholfie	172.1	Support	Powerco supports this natonal planning standards definiton.	Retain as drafted.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /OPERATIONAL NEED	Powerco Limited - Gary Scholfie	172.11	Support	Powerco supports this national planning standards definition.	Retain as drafted.	Open Submission
Definitions /Definitions /TEMPORARY INFRASTRUCTURE	Powerco Limited - Gary Scholfie	172.12	Support	Powerco supports this definition and the clarity which it provides.	Retain as drafted.	Open Submission
Definitions /Definitions /UPGRADING (NETWORK UTILITIES)	Powerco Limited - Gary Scholfie	172.13	Amend	Powerco supports the need for this definition, however as there is also a definition of 'minor upgrading' in the Plan this also needs to be excluded from this definition for clarity.	Amend as follows: UPGRADING (NETWORK UTILITIES) s it applies to network utilities, means the replacement, repair or renewal or improvement or increase in carrying capacity, operational efficiency, security or safety of existing network utilities but excludes 'maintenance' and 'minor upgrading'.	Open Submission
Definitions /General /General	Jeremy Harding	177.2	Support	Considers it appropriate to use the National Planning Standards definitions throughout as this provides consistency and avoids misinterpretation.	Retention of definitions where they are consistent with National Planning Standards definitions (inferred).	Open Submission
Definitions /Definitions /PRIMARY PRODUCTION	Jeremy Harding	177.3	Amend	Considers the definition of 'Primary Production' to be appropriate as it uses the National Planning Standards definition and incorporates quarrying as a primary industry, however references to primary production in the PDP exclude quarrying and support for primary production does not extend to quarrying.	Provide for quarrying activities in the PDP (inferred).	Open Submission
Definitions /Definitions /HIGHLY PRODUCTIVE LAND	Jeremy Harding	177.4	Amend	The definition of highly productive land in the PDP has been taken from the NPS:HPL rather than the National Planning Standards. The NPS:HPL places significant emphasis and value on the agricultural value of the soil and disregards the value and productiveness of land used for aggregate extraction. Like highly productive soils, aggregate extraction is location- specific. The original intent of the NPS:HPL was to protect highly productive land for future primary production. This would include quarrying recognising that other factors in addition to soil determine the productive capacity of land.	Seeks that Council revisit the provisions managing highly productive soils (inferred) after planned changes to the NPS-HPL have been made by the new Government.	Open Submission
Definitions /Definitions /PORT RELATED ACTIVITIES	Mark Leggett	180.2	Oppose	Opposes and considers the definition of 'Port-related activity' needs clarification regarding entities beyond Napier Port authority. Notes the submitter's critical operations at the Port involving bulk cement unloading, storage, and loading and operational elements include freight handling, transitional storage, vehicle maneuvering, and ancillary distribution. Considers permitted activity status for 'Port-related activities' is appropriate but requires clarity. Seeks amendment to include activities by entities beyond Napier Port authority for clarity.	Amend definition for 'Port-related activities' to read (in part): 'The use of land and/or buildings by any entity not limited to the Port Napier Authority ...'	Open Submission
Definitions /Definitions /ALLOTMENT	Angela McFlynn	189.1	Amend	The submitter considers that the Definition of Allotment should be consistent with the NPS.	Replace and amend the Definitions Section Allotment as follows: allotment has the same meaning as in section 218 of the RMA (as set out in the box below) <u>(2) In this Act, the term allotment means—</u> <u>(a) any parcel of land under the Land Transfer Act 2017 that is a continuous area and whose boundaries are shown separately on a survey plan, whether or not—</u> <u>(i) the subdivision shown on the survey plan has been allowed, or</u> <u>subdivision approval has been granted, under another Act; or</u> <u>(ii) a subdivision consent for the subdivision shown on the survey plan has been granted under this Act; or</u> <u>(b) any parcel of land or building or part of a building that is shown or identified separately—</u> <u>(i) on a survey plan; or</u> <u>(ii) on a licence within the meaning of subpart 6 of Part 3 of the Land Transfer Act 2017; or</u> <u>(c) any unit on a unit plan; or</u> <u>(d) any parcel of land not subject to the Land Transfer Act 2017.</u> <u>(3) For the purposes of subsection (2), an allotment that is—</u> <u>(a) subject to the Land Transfer Act 2017 and is comprised in 1 record of title or for which 1 record of title could be issued under that Act; or</u>	Open Submission
Definitions /Definitions /COMMUNAL OPEN SPACES	Angela McFlynn	189.2	Amend	The submitter considers that the Communal Open Spaces Definition suggests that this can only be provided when a development contains five or more residential units. There are no rules / standards / or assessment criteria within the Plan that would preclude a development of less than 5 units providing communal open space. The definition in the plan it is considered should reflect this.	COMMUNAL OPEN SPACES means, in relation to developments of five two or more residential units or Papakāinga developments, a specified quantity of landscaped land freely available to all residents on the site, exclusive of driveways, buildings, and the private outdoor living space requirements of individual household units.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /NET SITE AREA	Angela McFlynn	189.3	Amend	The submitter considers that the Definition of Net Site Area should be the same as the NPS in the Plan.	Amend the Definitions Section Net Site Area to that in the NPS as follows: NET SITE AREA means the total area of the site, but excludes: a. any part of the site that provides legal access to another site; b. any part of a rear site that provides legal access to that site; c. any part of the site used for access to the site; d. any part of the site subject to a designation that may be taken or acquired under the Public Works Act 1981.	Open Submission
Definitions /Definitions /AIRCRAFT OPERATION	Richard Milner	190.2	Amend	Aircraft operation is misleading to aircrafts used in an emergency. Change to any aircraft landing or taking off in an emergency. In Gabrielle once the declared emergency had been lifted there were still many homes without essentials and aircraft provided these. With other limitations this plan would have been restricted. Therefore, seeks to amend to include bold section. Flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Emergency Act 2002; and subsequent flying operations required to aid persons and property after the declared emergency has been lifted as reasonably practicable. Other essential operations such has but not limited to maintenance of assets for continuity of services should also be included such as those for Peer, Telecommunications, gas, water etc. Amend to include the bold section Aircraft undertaking firefighting, search and rescue and maintenance of assets for continuity of service duties.	Seeks to amend section A, D, F to include bold sections.Refer to submission for full details.	Open Submission
Definitions / /	Fleur Lincoln Napier City Council	196.6	Amend	The current definiton of heavy industry is not clear enough for use in plan implementation. The matters to be managed will be controlled through standards and other rules in the plan.	Delete the definiton "heavy industry".	Open Submission
Definitions / /	Fleur Lincoln Napier City Council	196.15	Amend	There is currently no definiton for "Fully Serviced Site". This could cause difficulty in implementation the density standard (SETZ-S1) and minimum lot size standard (SUB-S3) for the Settlement Zone.	Add new definition for "Fully Serviced Site" means a site connected to water supply, reticulated wastewater and stormwater systems that are provided by one or more network utility operators where those systems comply fully with the requirements of Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development).	Open Submission
Definitions / /	Fleur Lincoln Napier City Council	196.5	Amend	A definiton for "attachment" is required to accompany the new permitted activity rule sought for the HH and heritage overlay chapters.	Amend Definitions chapter to add new term: "Attachment: means, in relation to heritage items and heritage character overlays, part or all of any structure, pipe, equipment or cable that is externally fixed to the building or item to perform a particular function and includes, but is not limited to: • Customer connections, relating to radio communication or telecommunication lines; wastewater or stormwater treatment or disposal; and/or water, gas or electricity • Fire alarm panels • Sprinkler inlets • Air conditioning units • Heat pumps	Open Submission
Definitions / /	Fleur Lincoln Napier City Council	196.72	Amend	The current definiton of "Residential care facility" refers to travellers' accommodation. This term is not defined in the proposed District Plan. Instead, the definition should refer to "visitor accommodation". This is an error.	Update definiton of "Residential care facility" to delete "travellers' accommodation" and replace with "visitor accommodation".	Open Submission
Definitions / /	Fleur Lincoln Napier City Council	196.82	Amend	The current proposed definiton of Highly Productive Land only refers to land that is mapped in the Regional Policy Statement. This also needs to include the interim application of HPL to ensure the rule framework can apply in advance of HBRC doing the mapping, to give effect to the NPS:HPL.	Amend definition as follows (or similar relief) : has the same meaning as in National Policy Statement for Highly Productive Land 2022 (as below): means land that has been mapped in accordance with the NPSHPL and is included in an operative regional policy statement as required by the NPSHPL; or <u>prior to HPL being mapped in an operative regional policy statement, means land subject to clause 3.5(7) of the NPSHPL.</u>	Open Submission
Definitions /Definitions /ACTIVITIES SENSITIVE TO AIRCRAFT NOISE	Ellen Robotham	198.2	Amend	Considers the definition to be generally consistent with the expert acoustic advice provided by Marshall Day Acoustics and attached as Appendix 4 to this submission.HBAL considers however, that the definition should refer to "long term visitor accommodation", consistent with the advice from Marshall Day Acoustics.	Amend as follows: means any residential activity, <u>long term</u> visitor accommodation	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /AIRCRAFT OPERATION	Ellen Robotham	198.3	Amend	Considers the definition to be generally consistent with the expert acoustic advice provided by Marshall Day Acoustics and attached as Appendix 4 to this submission.HBAL considers, however, that the definition should also refer to heads of state and dignitaries as per the Notice of Requirement.	Amend as follows: means includes ground movements, take offs and landings, but excludes: a) Aircraft landing or taking off in an emergency; b) Emergency flights required to rescue persons from life threatening situations or to transport patients, human organs or medical personnel in medical emergency; c) Aircraft using the airport due to unforeseen circumstances as an essential alternative to landing at the planned destination airport; d) Flights required to meet the needs of a national or civil defence emergency declared under the Civil Defence Emergency Act 2002; e) Flights certified by the Minister of Defence as necessary for reasons of National security in accordance with section 4 of the Resource Management Act 1991,; f) <u>Aircraft carrying heads of state and/or senior dignitaries acting in their official capacity;</u> g) <u>other military aircraft operations; and</u> h) Aircraft undertaking firefighting or search and rescue duties.	Open Submission
Definitions /Definitions /AIRPORT ACTIVITY	Ellen Robotham	198.4	Amend	Considers the definition appropriately includes a variety of activities which are directly related or ancillary to the function and operation of the Airport. The current wording limits the interpretation of Airport Activities to the list provided. The wording should be amended to enable additional activities essential to running an airport which may not have been considered at this time and to incorporate activities anticipated by the definition of 'Airport Related Activities' which is requested to be deleted.	Amend as follows: means the following use of land and/or buildings related to or ancillary to the function and operation of the Hawke's Bay Airport, including: ... j) retail activities within terminal buildings; ... l) activities and facilities directly associated with servicing the needs of airport passengers, visitors, and employees; ... r) stormwater facilities, <u>and</u> infrastructure, <u>and</u> utility activities;	Open Submission
Definitions /Definitions /AIRPORT RELATED ACTIVITIES	Ellen Robotham	198.5	Oppose	Consider this definition replicates the definition of "Airport Activity" and may cause confusion for the plan user. The definition should be deleted and incorporated into the definition of 'Airport Activity'.The use of aerodromes or airports has evolved well beyond the provision of traditional 'runways and terminals'. Modern airports now encompass a broad range of activities in order to provide for the needs and demands of aircraft passengers, crew, ground staff, airport workers and those that meet and greet travellers. Airports now often provide for a range of industrial, commercial and logistical land uses, as such uses either provide direct servicing to the aviation industry, or feed directly off it. As noted above, those Airports with diversified income streams were found to recover more quickly from the sudden halt in air travel as a result of Covid-19. This requires flexibility to properly enable forward planning and development necessary to respond to changing demands that arise at a modern airport. Previous court cases support this (see full submission for more detail). The PDP has separate definitions for Airport Activities and Airport Related Activities, which have a high-level overlap. The key distinction is whether or not the activity is undertaken by a "third party".Many operational functions of the Airport are provided by third parties eg. air traffic control, and are not directly undertaken by HBAL. Furthermore, the effects of these activities are materially the same whether they are undertaken by HBAL or a "third party". The distinction created by these two definitions is therefore artificial and the definition of "Airport Related Activities" should therefore be deleted and consequential amendments made to the provisions of the Airport Zone.	Delete.	Open Submission
Definitions /Definitions /CAFÉ	Ellen Robotham	198.6	Oppose	Café is a commonly understood term and this definition does not appear to provide any unique understanding within the context of the PDP. It is therefore unnecessary.	Delete.	Open Submission
Definitions /Definitions /NETWORK UTILITY	Ellen Robotham	198.7	Support	The definiton appropriately relates to network utility operator.	Retain as notified.	Open Submission
Definitions /Definitions /NETWORK UTILITY OPERATOR	Ellen Robotham	198.8	Support	Supports the definition as it aligns with the National Planning Standards.	Retain as notified.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /NOISE SENSITIVE SPACE	Ellen Robotham	198.9	Amend	It is appropriate to include a definition of noise sensitive spaces which identify those parts of buildings that require acoustic treatment in order to manage noise effects. The definition requires expanding however, to ensure it captures noise sensitive spaces where they relate to an activity sensitive to aircraft noise.	Amend as follows: Any indoor space within a Noise Sensitive Activity <u>or Activity Sensitive to Aircraft Noise that is regularly used for high quality listening or communication, for example, principle living areas and classrooms, or rooms used for sleeping (such as bedrooms). It excludes excluding any bathroom, water closet, laundry, pantry, walk in wardrobe, corridor, hallway, lobby, stairwell, clothes drying area, kitchens not part of a dwelling, garage or other space of a specialised nature occupied neither frequently nor for extended periods.</u>	Open Submission
Definitions /Definitions /REVERSE SENSITIVITY	Ellen Robotham	198.1	Amend	Considers the definition reflects the commonly referred to principle to “reverse sensitivity” however amendments are requested to improve consistency with the Wellington City Council Proposed District Plan.	Amend as follows: means the vulnerable 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 the existing activity or structure.	Open Submission
Definitions /Definitions /General	Ellen Robotham	198.11	Amend	Considers new definitions should be included in the Proposed Plan to ensure clear and consistent plan interpretation with respect to the management of activities sensitive to aircraft noise.	Insert the following new definitions: <u>Aircraft Noise Overlay: means a boundary shown on the District Plan maps, the location of which is based on predicted day/night sound levels of Ldn 55dB from future aircraft operations at Hawke’s Bay Airport.</u>	Open Submission
Definitions /Definitions /General	Ellen Robotham	198.12		Considers new definitions should be included in the Proposed Plan to ensure clear and consistent plan interpretation of the terms significant infrastructure and regionally significant infrastructure, both of which are used throughout the Proposed Plan.	Regionally Significant Infrastructure: has the same meaning as ‘Strategic Infrastructure’ in the Hawke’s Bay Regional Resource Management Plan (as below): Strategic Infrastructure <u>Those necessary facilities, services and installations which are of greater than local significance, and can include infrastructure that is nationally significant. The following are examples of strategic infrastructure</u> :a) <u>strategic transport networks</u> b) <u>Hawke’s Bay Regional Airport</u> c) <u>Port of Napier</u> d) <u>Omarunui Regional Landfill</u> e) <u>strategic telecommunications and radiocommunications facilities</u> f) <u>the electricity transmission network and electricity distribution networks</u> g) <u>renewable electricity generation activities</u> h) <u>pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas</u> i) <u>public or community sewage treatment plants and associated reticulation and disposal systems;</u> j) <u>public water supply intakes, treatment plants and distribution systems</u> k) <u>public or community rural water storage infrastructure, including distribution systems</u>	Open Submission
Definitions /Definitions /General	Hus Narsai	205.1	Amend	Opposes the lack of specific recognition for “trade suppliers” throughout the PDP. No definition is provided for this activity and it is broadly provided for under the “retail activity” only. Considers it critical that definitions appropriately provides for the establishment of future activities.	Include definition of trade suppliers within the definitions chapter with wording such as: “Trade suppliers Means a business engaging in sales to business and institutional customers (but may also include sales to the general public) whose products wholly consist of one or more of the following categories:Automotive or marine supplies; Building supplies; Catering equipment; Farming and agricultural supplies; Garden and outdoor equipment; Industrial supplies; Landscape supplies; Outdoor recreation equipment; Pet supplies; and Maintenance and cleaning supplies.”	Open Submission
Definitions /Definitions /NET SITE AREA	Guy Panckhurst	210.9	Amend	It is not clear what is meant by "part of the site used for access". This description is not precise enough for clear interpretation.	Seeks to clearly define "part of the site used for access".	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /COMMERCIAL ACTIVITY	Holly Jenkins	214.12	Amend	Seeks the specific inclusion of Retail Activity within the definition of Commercial Activity as the Commercial Zone rules and standards only permit Commercial Activities for clarity.	Amend the definition as follows: COMMERCIAL ACTIVITY means any activity trading in goods, equipment or services. It includes any ancillary activity to the commercial activity (for example administrative or head offices). <u>It includes all retail activities.</u>	Open Submission
Definitions /Definitions /RETAIL ACTIVITY	Holly Jenkins	214.13	Amend	Considers proposed definitions for for Commercial Activity or Retail Activity are unclear in addressing supermarkets. Considers that supermarket related activities are appropriately captured by "retail activity" and seek the specific inclusion of supermarkets within the proposed definition of Retail Activity.	Amend the definition as follows: RETAIL ACTIVITY means land and/or buildings from which goods, merchandise, equipment or services are sold, exposed, displayed or offered for sale or direct hire to the public and includes <u>supermarkets, markets, showrooms, and liquor outlets not part of a hospitality activity, and associated activities.</u>	Open Submission
Definitions /Definitions /ANCILLARY ACTIVITY	Georgina McPherson	215.2	Support	Support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definitions in the Proposed Plan which are aligned with Section 2 of the Resource Management Act and the National Planning Standards, including the definitions for: Ancillary activity <ul style="list-style-type: none"> • Building • Commercial activity • Contaminant • Contaminated land • Discharge • Drain • Earthworks • Functional need • Ground level • Hazardous Substance • Industrial Activity • Infrastructure • Land Disturbance • Natural Hazard • Network Utility • Network Utility Operator • Noise • Notonal Boundary • Official sign • Operatonal Need • Sign • Structure 	Open Submission
Definitions /Definitions /AIRPORT ACTIVITY	Georgina McPherson	215.3	Support	Facilities for handling and storage of hazardous substances, fuel installations and fuel servicing facilities are essential to the functioning and operation of Hawke's Bay Airport. Specifically providing for these activities in the definition of an airport activity is supported by the Fuel Companies.	Retain definition as notified.	Open Submission
Definitions /Definitions /ALTERATION OR ADDITION	Georgina McPherson	215.4	Oppose	Is not necessarily concerned about the definition of the term when related to heritage, however the term is used throughout the Plan in circumstances outside of this context. In these situations, the definition is inappropriate.	Rename the defined term as follows: Alteration and Addition (<u>Heritage</u>) And Remove the hyperlinks to this definition from all rules, standards and other provisions, unless the rule, standard or provision is specifically referring to an identified heritage building or structure.	Open Submission
Definitions /Definitions /BORE	Georgina McPherson	215.5	Oppose	The term 'bore' is defined in the Proposed Plan. However, this term does not appear to be used in any other parts of the Proposed Plan, such that it is unclear why it is needed. It is also noted that the definition of 'bore' in the Proposed Plan varies from that contained in the Hawke's Bay Regional Resource Management Plan (RRMP). For these reasons, the Fuel Companies consider the definition should be deleted.	Delete the definition of bore.	Open Submission
Definitions /Definitions /DEVELOPMENT	Georgina McPherson	215.6	Amend	Support the definition of 'development' to the extent it applies to the erection or placement of buildings and structures. However, the reference to 'resurfacing of land' is potentially confusing. It is unclear why only 'resurfacing' and not 'new' surfacing of land is included in the definition. Further, the definition of 'development' including the 'resurfacing of land' would appear to capture activities that are otherwise specifically exempt from the definition of 'redevelopment of impervious areas'. This creates potential for confusion in the implementation of provisions containing both the terms 'development' and 'redevelopment'.	Amend the definition of development as follows: 'means the erection or placement of buildings and structures, and/or the resurfacing of land creation of new or redevelopment of existing impervious surfaces, excluding these activities otherwise excluded from the definition of 'redevelopment of impervious areas'.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /GAS TRANSMISSION NETWORK	Georgina McPherson	215.7	Oppose	In Napier, there are existing petroleum pipelines (wharflines and bunkerlines) running between the Port and the bulk fuel storage terminals. These wharflines are primarily located underground, within the public road/footpath. The wharflines are recognised in the Hawkes Bay Regional Resource Management Plan (RRMP) as strategic infrastructure, acknowledging that they are essential for growth and to the well-being, health and safety of people and communities and fall under the RMA definition of 'infrastructure' and the Proposed Plan definition of network utility. Liquid petroleum pipelines, such as the Fuel Companies' wharflines and bunkerlines are distinct to the gas transmission network and should not be included in the definition of 'gas transmission network'. The Fuel Companies consider these facilities are appropriately covered by the definitions of 'infrastructure' and/or 'network utility'.	Amend the definition by deleting the reference to liquid petroleum pipelines, with the effect that the Fuel Companies wharflines and bunkerlines will be covered by plan provisions relating to 'infrastructure' and/or 'network utilities': Gas transmission network any gas or liquid petroleum pipeline with a pressure greater than 2,000 kilopascals, inclusive of any incidental above or below ground equipment which forms part of the transmission network.	Open Submission
Definitions /Definitions /LIGHT INDUSTRIAL ZONE	Georgina McPherson	215.8	Oppose	It is unnecessary and inappropriate to include zones in the definitions section of the plan. The spatial extent of zones is defined by the planning maps and the characteristic of each zone is described in the zone chapters.	Delete the definition of Light Industrial Zone.	Open Submission
Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	Georgina McPherson	215.9	Support	The Fuel Companies support the specific recognition of Network Utilities Maintenance and seek that the definition is retained as notified.	Retain the definition of Maintenance (Network Utilities).	Open Submission
Definitions /Definitions /MINOR UPGRADING OF NETWORK UTILITIES	Georgina McPherson	215.1	Support	The Fuel Companies support the specific recognition of the need to carry out minor upgrades of network utilities and seek that the definition is retained as notified.	Retain the definition of minor upgrading of network utilities.	Open Submission
Definitions /Definitions /PORT RELATED ACTIVITIES	Georgina McPherson	215.11	Amend	The definition is supported in full, with the exception of a minor typo under g(i) which should read as 'freight', as opposed to 'fright'. In particular, the Fuel Companies support the inclusion of c, f and g and seek that these be retained.	Amend spelling mistake under clause g(i) as follows: The use of land and/or buildings for: ... g. Any ancillary activity necessary for the functional needs and operational needs of port operations, or supporting the operation, maintenance, and security of facilities and services, which includes: i. Ancillary operation and maintenance support services including freight and vehicle depots, storage facilities and workshops;	Open Submission
Definitions /Definitions /REDEVELOPMENT OF IMPERVIOUS AREA	Georgina McPherson	215.12	Amend	Support definition as it provides for essential operational activities without triggering the need to install stormwater management devices. Consider incorporation of standard floor space threshold of 3.5m2 of above ground network utility structures from NU-S4 to provide exemption for above ground network utility structures to be exempt from stormwater management devices. Specific reference to electric vehicle charging facilities is considered appropriate, as while they are addressed in the network utilities chapter, it is not otherwise clear that they are included in the definition of the term 'network utilities'.	Amend the definition of 'redevelopment of impervious area' to also exclude the installation, maintenance, repair or upgrade of above ground network utilities, as follows. The replacement or reconstruction of a site's lawfully established impervious area, excluding: a. Maintenance or repairs that do not increase the total impervious area of the site, or result in any additional contaminant discharge; b. Resurfacing that does not involve the re-direction of existing stormwater flows or drainage networks; c. Trenching and resurfacing associated with the installation, maintenance, repair and replacement of underground equipment, infrastructure or underground utility works. <u>d. Installation, maintenance, repair or upgrade of above ground network utilities, including electric vehicle charging facilities, having a gross floor area of no more than 3.5m2.</u>	Open Submission
Definitions /Definitions /RETAIL ACTIVITY	Georgina McPherson	215.13	Support	The Fuel Companies support the intent of this definition and seek that it is retained.	Retain the definition of Retail activity.	Open Submission
Definitions /Definitions /REVERSE SENSITIVITY	Georgina McPherson	215.14	Amend	The intent of this definition is supported, and with the exception of the word 'vulnerable' the definition is supported in its entirety. The word 'vulnerable' is not supported as it is unnecessary and reduces the clarity of the definition.	Retain definition with the amendment below: means the vulnerable 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 the existing activity or structure.	Open Submission
Definitions /Definitions /SENSITIVE ACTIVITIES	Georgina McPherson	215.15	Support	The Fuel Companies support this definition and seek that it be retained.	Retain definition of Sensitive activities as notified.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /SERVICE STATIONS	Georgina McPherson	215.16	Amend	The Fuel Companies are pleased to see the inclusion of a definition for service stations. The definition is supported, however it lacks reference to electric vehicle charging which is a service that is increasingly being provided as part of service station activities.	Retain the definition of service stations, with the following addition: means a commercial activity on a site where the principal activity is the retail sale of motor vehicle fuels and lubricating oils and includes: a. the sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles; and/or b. the cleaning of vehicles; and/or c. mechanical and electrical servicing and repair of vehicles; and/or d. ancillary retail of goods and food; and/or e. truck stops; and/or f. trailer hire.; and/or g. <u>the charging of electric vehicles.</u>	Open Submission
Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	Georgina McPherson	215.17	Amend	The definition of 'significant hazardous facilities' as drafted will capture many service station and truck stop activities and that is opposed. The proposed definition of 'significant hazardous facilities' includes facilities involving the storage/use of more than 100kl petrol and 50kl of diesel. These are arbitrary limits based on historical quantities of products stored at petrol stations. Increasingly, major service stations and truck stops are storing petrol and diesel in higher quantities, for instance 60kl diesel at a truck stop or 120,000kl litres of petrol at a service station. These facilities do not have risks to justify their classification as a Significant Hazardous Facility (see full submission for more detail).	Amend the definition of Significant Hazardous Facilities to clearly exclude retail services stations and truck stops, the transmission and distribution of petroleum products by pipeline, and fuel storage and servicing installations at airports. This could be achieved by making the following changes, or to the same effect: Means any facility which involves one or more of the following activities: • Manufacturing of hazardous substances (including industries; • manufacturing agrochemicals, fertilisers, acids/alkalis or paints); • Oil and gas exploration and extraction facilities; • The storage/use of more than 10050,000l of petrol; • The storage/use of more than 50100,000l of diesel; • The storage/use of more than 6 tonnes of LPG; • Galvanising plants; • Electroplating and metal treatment facilities; • Tanneries; • Freezing works and rendering plants; • Wastewater treatment plants; • Metal smelting and refining (including battery refining or recycling); • Milk treatment plants; • Fibreglass manufacturing;	Open Submission
Definitions /Definitions /UPGRADING (NETWORK UTILITIES)	Georgina McPherson	215.18	Support	The Fuel Companies support the definition of Upgrading (Network utilities) and seek that it is retained.	Retain the definition of Upgrading (Network utilities) as notified.	Open Submission
Definitions /Definitions /WAREHOUSING AND STORAGE	Georgina McPherson	215.19	Amend	The intent of this definition is supported by the Fuel Companies.	Retain the definition as notified.	Open Submission
Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	Georgina McPherson	215.75	Amend	Truck stops and service stations, including those storing more than 50,000 litres of diesel or 100,000 litres of petrol are currently captured by the definition of Significant Hazardous Facilities in the Proposed Plan. It is widely recognised, including by the Ministry for the Environment, that risk associated with these types of facilities is adequately managed by compliance with HSNO and WorkSafe standards together with relevant codes of practice and industry best practice approaches. As identified above, the Fuel Companies seek amendments to the definition of 'significant hazardous facilities' to clearly exclude these activities, including for those exceeding the fuel volume thresholds where storage occurs underground and in accordance with relevant HSNO codes of practice.	Companies seek amendments to the definition of 'significant hazardous facilities' to clearly exclude these activities, including for those exceeding the fuel volume thresholds where storage occurs underground and in accordance with relevant HSNO codes of practice.	Open Submission
Definitions /Definitions /HEAVY INDUSTRY	Georgina McPherson	215.161	Oppose	As previously noted, the definition of 'heavy industry' in the definitions chapter (Part 1 of the Proposed Plan) is ambiguous and should be deleted.	Delete the definiton for 'heavy industry' the definitons chapter (Part 1 of the Proposed Plan).	Open Submission
Definitions /Definitions /ANCILLARY ACTIVITY	Georgina McPherson	215.175	Support	Ancillary activityThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Ancillary Activity	Open Submission
Definitions /Definitions /COMMERCIAL ACTIVITY	Georgina McPherson	215.176	Support	Commercial activityThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Commercial activity in the Proposed Plan	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /CONTAMINANT	Georgina McPherson	215.177	Support	ContaminantThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Contaminant	Open Submission
Definitions /Definitions /CONTAMINATED LAND	Georgina McPherson	215.178	Support	Contaminated landThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Contaminated Land	Open Submission
Definitions /Definitions /DISCHARGE	Georgina McPherson	215.179	Support	DischargeThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Discharge	Open Submission
Definitions /Definitions /DRAIN	Georgina McPherson	215.180	Support	DrainThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Drain	Open Submission
Definitions /Definitions /EARTHWORKS	Georgina McPherson	215.181	Support	EarthworksThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Earthworks in the Proposed Plan	Open Submission
Definitions /Definitions /FUNCTIONAL NEED	Georgina McPherson	215.182	Support	Functional needThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Functional Need	Open Submission
Definitions /Definitions /GROUND LEVEL	Georgina McPherson	215.183	Support	Ground levelThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Ground Level	Open Submission
Definitions /Definitions /HAZARDOUS SUBSTANCE	Georgina McPherson	215.184	Support	Hazardous SubstanceThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Hazardous Substance	Open Submission
Definitions /Definitions /INDUSTRIAL ACTIVITY	Georgina McPherson	215.185	Support	Industrial ActivityThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Industrial Activity	Open Submission
Definitions /Definitions /INFRASTRUCTURE	Georgina McPherson	215.186	Support	InfrastructureThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Infrastructure	Open Submission
Definitions /Definitions /LAND DISTURBANCE	Georgina McPherson	215.187	Support	Land DisturbanceThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Land Disturbance	Open Submission
Definitions /Definitions /NAUTRAL HAZARD	Georgina McPherson	215.188	Support	Natural HazardThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Natural Hazard	Open Submission
Definitions /Definitions /NETWORK UTILITY	Georgina McPherson	215.189	Support	Network UtilityThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Network Utility	Open Submission
Definitions /Definitions /NETWORK UTILITY OPERATOR	Georgina McPherson	215.19	Support	Network Utility OperatorThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Network Utility Operator in the Proposed Plan	Open Submission
Definitions /Definitions /NOISE	Georgina McPherson	215.191	Support	NoiseThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Noise	Open Submission
Definitions /Definitions /NOTIONAL BOUNDARY	Georgina McPherson	215.192	Support	Notional BoundaryThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.		Open Submission
Definitions /Definitions /OFFICIAL SIGN	Georgina McPherson	215.193	Support	Official signThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Official Sign	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /OPERATIONAL NEED	Georgina McPherson	215.194	Support	Operational NeedThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Operational Need	Open Submission
Definitions /Definitions /SIGN	Georgina McPherson	215.195	Support	SignThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Sign	Open Submission
Definitions /Definitions /STRUCTURE	Georgina McPherson	215.197	Support	StructureThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Structure	Open Submission
Definitions /Definitions /WASTEWATER	Georgina McPherson	215.198	Support	WastewaterThe Fuel Companies support the identified definitions being the same as set out in Section 2 of the Resource Management Act and/or aligning with the definition standards under the National Planning Standards.	Retain as notified the definition of Wastewater	Open Submission
Definitions /Definitions /BUILDING	Georgina McPherson	215.2	Support	The definition of Building is supported.	Retain the definition of Building as notified.	Open Submission
Definitions /General /General	Anitha Premraj Sam Goddard	216.1	Amend	Considers the inclusion of drive through restaurant activity insufficiently reflected in the current "hospitality activity" definition and fails to recognise that a "drive through facility" is specifically provided for in some zones within the PDP. Considers it critical that definitions appropriately provides for the establishment of future activities	Include definition of a drive through restaurant within the definitions chapter with wording such as below: 'Any land and/or building on or in which food and beverages are prepared, served and sold to the public inclusive of a facility designed to serve customers in their vehicles, for the consumption on or off the premises and may include an ancillary cafe and/or playground area.'	Open Submission
Definitions /Definitions /ALTERATION OR ADDITION	Shravan Miryala	217.2	Amend	Supports principle of defining additions or alterations specifically for historic heritage buildings and associated activities, however, considers that terms are used in a singular manner: i.e.: just "alterations" which is confusing for Plan users. Also considers that when terms are used throughout the PDP, they appear to relate to activities that do not and likely should not relate to managing effects of additions and alterations to historic heritage buildings. Notes the example that rule TCZ-R9: Additions and alterations, permits (2) external alterations which are less than 25m ² . The term "alterations" in this PA qualifying condition links back to this definition, which relates to a percentage of change to an historic heritage item. Considers this approach flawed and requires a robust reconsideration as to how the council intends to manage small scale additions and alterations to existing unlisted buildings and structures in the commercial zones.	Amend to rename the defined term as follows Alteration and Addition (Heritage) and remove the hyperlinks to this definition from all rules, standards and other provisions, unless the rule, standard or provision is specifically referring to an identified heritage building or structure.	Open Submission
Definitions /Definitions /COMMERCIAL ACTIVITY	Shravan Miryala	217.3	Support	Supports that the definition of commercial activity is taken directly from the National Planning Standards and supports the intent in the PDP.	Retain this definition as notified.	Open Submission
Definitions /General /General	Shravan Miryala	217.4	Oppose	opposes the control of "drive-through facilities" in multiple zones in the PDP without the activity being defined in Part 1. Considers that this term is usually defined, if used in a district plan, And may include or exclude service stations and truck stops. Considers the lack of definition creates confusion and misinterpretation for many vehicle oriented activities.	Insert a new definition for drive-through facilities in the PDP ensuring that it excludes service stations (because they are separately defined).	Open Submission
Definitions /Definitions /TRANSPORT DEPOT	Shravan Miryala	217.5	Support	Supports of the definition of Transport Depot. Notes that 'vehicle depot' is also used throughout the plan but is not defined. Seeks consistency of the use of the term, or that the term 'vehicle depot' be defined separately if the intended meaning is not the same as 'transport depot.'	Retain the definition of Transport depot and replace the use of vehicle depot' throughout the plan with the defined term of transport depot. Or, alternatively Retain the definition of transport depot and add a new definition for vehicle depot to clearly define differences between the two terms and their subsequent uses throughout the District Plan.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /SERVICE STATIONS	Shravan Miryala	217.6	Amend	Supports the inclusion and definition for service stations.Considers that it lacks reference to electric vehicle charging which is a service that is increasingly being provided as part of service station activities.	Retain the definition of service stations, with the following addition: means a commercial activity on a site where the principal activity is the retail sale of motor vehicle fuels and lubricating oils <u>and charging of electric vehicles</u> and includes: a. the sale of kerosene, tyres, batteries and other accessories normally associated with motor vehicles; and/or b. the cleaning of vehicles; and/or c. mechanical and electrical servicing and repair of vehicles; and/or d. ancillary retail of goods and food; and/or e. truck stops; and/or f. trailer hire.; and/or <u>g. the charging of electric vehicles.</u> But does not include panel beating, spray painting or heavy engineering.	Open Submission
Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	Shravan Miryala	217.7	Amend	Supports that the Hazardous Substances chapter provisions apply solely to 'significant hazardous facilities' and hazardous substances in the Natural Open Space Zone. Opposes proposed definition of 'significant hazardous facilities', as it encompasses service station and truck stop activities.Considers that the proposed definition includes arbitrary limits based on historical storage quantities, which may not reflect current practices. Notes that Major service stations and truck stops adhere to HSNO Codes of Practice, managing risks effectively without justifying classification as 'Significant Hazardous Facilities'. The definition lacks a risk-based approach, potentially encompassing facilities with minimal risk justification, for instance a 60kl diesel tank at a truck stop, located either above or below ground. Notes that The Resource Legislation Amendment Act 2017 (RLAA 2017) states councils should control hazardous substances only where effects aren't covered by HSNO or HSWA, implying justification based on effects or risk. Considers that the potential risks associated with 100kl of above ground petrol storage are far more significant than the equivalent in diesel. If there are to be controls on storage then from a risk point of view it would make more sense for the thresholds to be 100kl diesel and 50kl petrol, and only in relation to above ground storage. Also notes that the Operative District Plan definition for 'major hazardous facilities' clearly excludes 'retail service stations and truck stops', therefore the effect of the Proposed Plan definition of 'significant hazardous facilities' would be to apply additional controls to retail service stations and truck stops storing more than 100,000 litres of petrol and/or 50,000 litres diesel. Notes that this has not been justified through s32 analysis and is contrary to the direction provided by the RLAA 2017.	Amend the definition of Significant Hazardous Facilities to clearly exclude retail services stations and truck stops, the transmission and distribution of petroleum products by pipeline, and fuel storage and servicing installations at airports. This could be achieved by making the following changes, or changes to the same effect: Means any facility which involves one or more of the following activities: · Manufacturing of hazardous substances (including industries; · manufacturing agrochemicals, fertilisers,acids/alkalis or paints); · Oil and gas exploration and extraction facilities; · The storage/use of more than 10050,000l of petrol; · The storage/use of more than 50100,000l of diesel; · The storage/use of more than 6 tonnes of LPG; · Galvanising plants;· Electroplating and metal treatment facilities; · Tanneries; · Freezing works and rendering plants; · Wastewater treatment plants; · Metal smelting and refining (including batteryrefining or recycling); · Milk treatment plants; · Fibreglass manufacturing; · Polymer foam manufacturing; · Asphalt/bitumen manufacture or storage; or	Open Submission
Definitions /Definitions /PRIMARY PRODUCTION	Dominic Adams	221.1	Amend	Napier City is surrounded by rural areas that support the regional economy - including via primary production. Agricultural aviation is a vital tool supporting farmers and growers to protect and maintain primary production therefore Ballance seeks to have agricultural aviation recognised and provided for in the plan.	Seeks to Amend to add new definition: <u>Agricultural aviation activity means the intermittent operation of an aircraft from a rural airstrip or helicopter landing area for primary production, frost mitigation, biosecurity, or biodiversity purposes including stock management, and the application of fertiliser, agrichemicals, or vertebrate toxic agents (VTA's). For clarity, aircraft includes fixed-wing aeroplanes, helicopters, and unmanned aerial vehicles (UAV's).</u>	Open Submission
Definitions /Definitions /	Dominic Adams	221.2	Support	Ballance agrees with the definition of primary production.	Seeks to retain definition.	Open Submission
Definitions /Definitions /	Dominic Adams	221.3	Amend	It is important for rural airstrips to be defined in the plan so that they can be considered appropriately.	Seeks to Amend to add definition: <u>Rural airstrip means any defined area of land intended or designed to be used, whether wholly or partly, for the landing, departure, movement, or servicing of aircraft in the rural area.</u>	Open Submission
Definitions /Definitions /	Amelia Longley	222.18	Amend	Insert new definition for 'Conservation Activities' to support proposed amendments requesting a new Rule in NOSZ chapter.	<u>CONSERVATION ACTIVITIES means the use of land and/or buildings for any activity undertaken for the purposes of maintaining, protecting and/or enhancing the natural, historic and/or ecological values of a natural or historic resource. It includes ancillary activities and activities which assist to enhance the public's appreciation and recreational enjoyment of the resource.</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /	Amelia Longley	222.19	Amend	There is no definition in the Proposed District Plan for Informal Recreation. Propose to have a definition included.	New Definition: <u>INFORMAL RECREATION - Means an activity whose aim is the enjoyment of leisure of a primarily non-competitive casual nature and includes for example: resting, sitting, walking, cycling, jogging, outdoor community events etc.</u>	Open Submission
Definitions /Definitions /PUBLIC AMENITIES	Amelia Longley	222.20	Amend	Unclear what a public amenity 'devices or items' is, and why these would be singled out in a definition, therefore seek these references be deleted. Signage is controlled by the DWA SIGN - Sign chapter, referencing it in this definition would lead to confusion in applying the rules. Amendments also seek to clarify public amenities are a subset of community facilities.	<u>means a structure, device or item used for the purpose of the public's enjoyment, convenience, or comfort, and may include toilet facilities, shelters, signage, rubbish bins, tracks, platforms, and structures relating to educational or informational purposes.</u> <u>Also refer: Community facilities.</u>	Open Submission
Definitions /Definitions /RECREATIONAL ACTIVITY	Amelia Longley	222.21	Amend	Delete reference to public conveniences as they are now proposed to be covered under the definition of 'public amenities'. Reference to outdoor school grounds not appropriate here. This would more appropriately be addressed under the definition of 'educational facilities'. Amend to provide for 'ancillary activities' in a manner similar to the definition of 'community facility'.	means any land and/or buildings whose primary use is for passive or active leisure, whether competitive or non-competitive, casual or organised, including (but not limited to) shelter, cycleways and walkways outside roads, public conveniences, the use of outdoor school grounds between the hours of sunrise and sunset, and other accessory buildings and any activity ancillary to the recreational activity. <u>Also refer:</u> - <u>Community facilities</u> - <u>Entertainment activities / Events /</u> - <u>Public amenities</u> <u>Note: Commercial components of an activity on Council reserves may also trigger provisions in the Reserves Act 1977</u>	Open Submission
Definitions /Definitions /	Amelia Longley	222.22	Amend	Insert new definition to support proposed amendments requesting a new Rule in the Open Spaces Zones providing for 'Reserves Maintenance Activities' The PDP does not currently provide for buildings and activities associated with the maintenance, management and development of the City's parks and open spaces. Whilst these could be considered to be activities ancillary to the main purpose of the zone, for clarity inclusion of a separate activity and associated rule is sought.	<u>RESERVES MAINTENANCE ACTIVITIES: Activities including buildings, for the maintenance, management and development of the City's parks and open spaces network including equipment and storage sheds, nurseries, and administration offices.</u>	Open Submission
Definitions /Definitions /	Amelia Longley	222.23	Amend	New definition sought to provide for 'stormwater and drainage activities' undertaken by Council pursuant to its duties under the Land Drainage Act 1904, the Local Government Act 2002 or the Reserves Act 1977. Include a new definition (and associated rule in the Open Spaces Zones) for 'Stormwater and Drainage Activities'.		Open Submission
Definitions /Definitions /TEMPORARY NOISE EVENTS	Amelia Longley	222.24	Amend	In the STADZ Zone refers to a noise event. Unclear whether this is the same as a temporary noise event? Clarify the use of this term and its relationship with 'entertainment activities'/'noise event' as set out in Rule STADZ- R4/Standard STADZ-S6 of the stadium zone.	TEMPORARY NOISE EVENT An event that exceeds the general noise controls for a site (or area within the coastal marine area) either in level or duration.	Open Submission
Definitions /Definitions /	Amelia Longley	222.141	Amend	Insert new definition to support proposed amendments requesting a new Rule in STADZ Zone.	EVENT (Stadium Zone): Means an activity, either indoor or outdoor, that takes place on McLean Park and involves large groups of people either as participants or spectators and includes trade fairs, , open days, displays, wedding celebrations, social functions conferences and the like.	Open Submission
Definitions /Definitions /TRANSPORT DEPOT	Alicia McKinnon	230.9	Amend	The definition of Transport depot should be amended to be consistent with the current definition in the Napier Operative District Plan.	seeks to amend the definition of Transport Depot as follows: means any land and/or buildings which is primarily used for the receipt, dispatch, or consolidation of goods in transit being transported by road and/or air, where the goods are not owned or processed by the owner or occupier of that land or building, <u>and includes a carrier's depot and truckstop.</u>	Open Submission
Definitions /Definitions /ACTIVITIES SENSITIVE TO AIRCRAFT NOISE	Sian Stirling Jessica Ensing	231.2	Support	The Ministry supports the inclusion of day care facilities, educational facilities and child care centres in the definition of 'activities sensitive to aircraft noise', as they are activities sensitive to noise. The Ministry acknowledges that there is a valid reason for excluding educational facilities that have an aviation purpose and supports this.	Retain as proposed.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /ACTIVITIES SENSITIVE TO NOISE	Sian Stirling Jessica Ensing	231.3	Amend	Requests to change the definition to encompass all environments at educational facilities rather than restricting this to classrooms. outdoor environments are a key part of educational facilities. Most schools have curriculums that are taught outside. making it important to protect outside environments from noise. Recommend that the term education facilities be changed to educational facilities, for maintained consistency.	Seeks to amend definition to say: Means any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, <u>classrooms in educational facilities</u> , and healthcare facilities with an overnight stay facility.	Open Submission
Definitions /General /General	Sian Stirling Jessica Ensing	231.4	Amend	Amend definitions to include a new definition of additional infrastructure to the plan, which is derived from the National Policy Statement on Urban Development 2020 (MPS-UD).The definition for 'Infrastructure' does not include educational facilities. Under the NPS-UD educational facilities are included in the definition of 'additional infrastructure'. The Ministry recommends the inclusion of 'additional infrastructure' in the definitions chapter to provide for educational facilities. This will ensure that subdivision and development include provision for the expansion of existing or new educational facilities to accommodate the demand of the development.It will allow for activities that provide broadly for communities' social, economic, and cultural well-being and for their health and safety, to be captured within specific policies and objectives and will be consistent with the NPS-UD wording.	Seeks to Amend Infrastructure Definition to: <u>Additional infrastructure means:</u> a. <u>Public open space.</u> b. <u>Community infrastructure as defined in section 197 of the Local Government Act 2002.</u> c. <u>Land transport (as defined in the Land Transport Management Act 2003) that is not controlled by local authorities.</u> d. <u>Social infrastructure, such as schools and healthcare facilities.</u> e. <u>A network operated for the purpose of telecommunications (as defined in section 5 of the Telecommunications Act 2001).</u> f. <u>A network operated for the purpose of transmitting or distributing electricity or gas.</u>	Open Submission
Definitions /Definitions /AIRPORT RELATED ACTIVITIES	Sian Stirling Jessica Ensing	231.5	Amend	The Ministry supports the inclusion of 'educational facilities' solely related to aviation to be included in the definition of Airport related activities, which aims to protect airport activities.Request that 'education facilities' be amended to read 'educational facilities' for consistency across the plan.	Seeks that t 'education facilities' be amended to read 'educational facilities' for consistency across the plan. means third party ancillary activities or services that provide support to the airport. This includes: a. land transport activities; b. buildings and structures; c. servicing and infrastructure; d. police stations, fire stations, and medical facilities; e. <u>educational facilities</u> provided they serve an aviation related purpose; f. retail and commercial services and industry associated with the needs of Airport passengers, visitors and employees and/or aircraft movements and Airport businesses, and g. Administrative offices, provided they are ancillary to an airport or airport related activity.	Open Submission
Definitions /Definitions /EDUCATIONAL FACILITY	Sian Stirling Jessica Ensing	231.6	Support	The Ministry supports the definitons for 'Educational facility' as it is consistent with the National Planning Standards.	Retain as proposed.	Open Submission
Definitions /Definitions /HABITABLE ROOM	Sian Stirling Jessica Ensing	231.7	Support	The Ministry supports the proposed definiton for Habitable Room as it is consistent with the National Planning Standards.	Retain as proposed.	Open Submission
Definitions /Definitions /NOISE SENSITIVE ACTIVITY	Sian Stirling Jessica Ensing	231.8	Amend	Supports the inclusion of educational facilities in the definition of noise sensitive activity, which aims to protect educational facilities form noise. Understands that trade and industry training is excluded from this definition. Seeks to amend definition to read educational facilities rather than education facilities.	Amend definition to: Any use of land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby land uses in the course of their legitimate operation and functioning; and for the purposes of this plan, includes day care centres, educational facilities (but not any trade training or other industry- related <u>educational</u> facility), health care centres, hospitality activities, office accommodation, places of assembly, residential activities, retirement complexes, travellers' accommodation, and camping grounds	Open Submission
Definitions /Definitions /RECREATIONAL ACTIVITY	Sian Stirling Jessica Ensing	231.9	Amend	Opposes the inclusion of 'use of outdoor school grounds between the hours of sunrise and sunset'. Some schools have evening events after dark, which utilise field lighting, which can be used for trainings for games during the winter. Requests that this part of the definition is removed.	Seeks to amend definition as follows: Any use of land and/or buildings which is likely to be susceptible to the effects of noise emitted from nearby land uses in the course of their legitimate operation and functioning; and for the purposes of this plan, includes day care centres, educational facilities (but not any trade training or other industry- related <u>educational</u> facility), health care centres, hospitality activities, office accommodation, places of assembly, residential activities, retirement complexes, travellers' accommodation, and camping grounds.	Open Submission
Definitions /Definitions /SENSITIVE ACTIVITIES	Sian Stirling Jessica Ensing	231.10	Support	The Ministry supports the inclusion of educational facilities in the definition of "sensitive activities".This proposed definition is acceptable and provides protection to educational facilities.	Retain as proposed.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /KŌHANGA REO	Sian Stirling Jessica Ensing	231.11	Support	The Ministry supports the inclusion of this definiton. The definiton of educational facility includes day care centres which reflects a broad range of activities, including Kōhanga reo.	Retain as proposed.	Open Submission
Definitions /Definitions /MĀORI PURPOSE ACTIVITIES	Sian Stirling Jessica Ensing	231.12	Amend	Amend definition as it does not include Kura or Kōhanga Reo. Both Māori schools and childcare services should also be specifically provided for under this definition. Including both terms is important, as Māori purpose activities are enabled in the Māori purpose zone as permitted activities. All Māori educational facilities should be permitted in the Māori purpose zone.	Seeks to Amend definition to: Means activities relating to the expression and revitalisation of Māori culture, including mahinga kai activities, performing arts/sporting activities, tangihanga and other mourning activities, Matariki and Pūanga observance activities, wānanga, <u>kura, kōhanga reo</u> , hui, shorter-term (under seven days) events or festivals, temporary (under 14 days) camping that facilitates involvement in Māori customary activities, and other activities that reflect the special relationship mana whenua have to place, including any ancillary structures.	Open Submission
Definitions /Definitions /General	Sian Stirling Jessica Ensing	231.13	Amend	The Ministry request a new definiton is included to outline who vulnerable road users are. The Ministry have recommended this term be used in the plan.	Amend to: <u>Vulnerable users</u> <u>Means non-motorised road users, such as pedestrians, cyclists, children, the elderly, the disabled and users of mobility devices.</u>	Open Submission
Definitions /Definitions /General	Sam Goddard	238.1	Amend	Considers it critical that the definitions section of the PDP is well informed and appropriately provides for the establishment of future activities.The PDP does not currently include a definition of a supermarket activity. It is unclear whether a supermarket falls within the definition of a “retail activity” or “commercial activity”. Both of these categories are broad and do not provide a clear understanding of the activities anticipated. The inclusion of a standardised definition at the district-wide level to provide for a consistent approach is considered to be important.	Include definition of a supermarket activity within the definitions chapter with wording such as: ‘An individual retail outlet, which sells, primarily by way of self service, a comprehensive range of: a. domestic supplies, fresh food and groceries, such as: fresh meat and produce; chilled, frozen, packaged, canned and bottled foodstuffs and beverages; general housekeeping and personal goods, including (but not limited to) cooking, cleaning and washing products, kitchenwares, toilet paper, diapers and other paper tissue products, pharmaceutical, health and personal hygiene products and other toiletries, and cigarettes, magazine and newspapers, greeting cards and stationery, batteries, flashlights, light bulbs and related products; and b. non domestic supplies and comparison goods comprising not more than 20 per cent of all products offered for sale as measured by retail floor space, including (but not limited to): barbecue and heating fuels; audio visual products; electrical appliances; clothing and footwear; furniture; and office supplies.’	Open Submission
Definitions /Definitions /General	Sam Goddard	238.2	Amend	Considers it critical that the definitons secton of the PDP is well informed and appropriately provides for the establishment of future activities.The PDP does not currently include a definition of a wholesaler.It is unclear if a Gilmours (wholesaler) falls within the definition of a “industrial activity”, “retail activity” or “commercial activity”.Both of these categories are broad and do not provide a clear understanding of the activities anticipated. The inclusion of a standardised definition at the district-wide level to provide for a consistent approach is considered to be important.	Include definition of a wholesaler within the definitions chapter with wording such as: ‘A business engaged in the storage and distribution of goods to businesses (including retail activities) and institutional customers. Sales to the public are an accessory activity.’	Open Submission
Definitions /Definitions /MAINTENANCE (NETWORK UTILITIES)	Angela Jones	240.2	Amend	Seeks the inclusion of tree trimming and weed control within the definition as these are regular maintenance activities undertaken by the submitter, in addition to other activities included in the proposed definition.	Include tree trimming and weed control within the definition of Maintenance (network utilities)	Open Submission
Definitions /Definitions /POLE	Angela Jones	240.3	Amend	Seeks amendments to the definition to make it consistent with the definition of pole in the NPS-ET which includes reference to the hardware associated with the structure (e.g.: cross-arms and guy wires).	Amend the definition to include: <u>It includes the hardware associated with the structure (such as insulators, cross-arms, and guy-wires) and the structure's foundations.</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	Angela Jones	240.4	Amend	Seeks the inclusion of the definition of 'customer connection' to be sought, as the proposed rules for network utilities do not explicitly permit lines extending from the road to customers houses.	Include a new definition: CUSTOMER CONNECTION <u>Means a line that connects a telecommunications or electricity distribution network or a pipe that connects a gas distribution network to a site, including any connection to a building within that site, for the purpose of enable a network utility operator to provide telecommunications, electrical or gas services to a customer.</u> Consequential changes to the Network Utilities chapter are also sought for the inclusion of 'customer connection' as a permitted activity.	Open Submission
Definitions /Definitions /ACTIVITIES SENSITIVE TO NOISE	Ella Shields Carmen Taylor	246.4	Oppose	Opposes the Definition of 'Activities Sensitive To Noise' given that there are two definitions listing similar but different activities that are likely to be sensitive to noise with a reliance on two differing definitions within different sections of the PDP considered to be problematic. Only one such term should be used throughout the PDP.	Delete the notified definition of 'Activities Sensitive To Noise' as follows: means any dwelling, visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classrooms in education facilities, and healthcare facilities with an overnight stay facility. AND, Rely on and use the notified definition of 'Noise Sensitive Activities', instead of the 'Activities Sensitive To Noise' definition, throughout the PDP. AND, Consequential amendments throughout the PDP.	Open Submission
Definitions /Definitions /FERTILISER	Ella Shields Carmen Taylor	246.5	Support	Supports the Definition of 'Fertiliser' in the PDP as this is consistent with the National Planning Standards (NPS).	Retain the Definition of 'Fertiliser' as notified.	Open Submission
Definitions /Definitions /HEAVY INDUSTRY	Ella Shields Carmen Taylor	246.6	Support	Supports the Definition of 'Heavy Industry' as it reflects the general understanding of the nature of heavy industrial activities. The definition is also considered to be generally consistent with the NPS's description of activities that would be present in a Heavy Industrial Zone (where such zones are included in statutory plans) (Section 8 and Table 13 of the NPS).	Retain the definition of 'Heavy Industry' as notified.	Open Submission
Definitions /Definitions /IMPERVIOUS AREA	Ella Shields Carmen Taylor	246.7	Support	Supports the Definition of 'Impervious Area' as accurately reflecting the nature of impervious areas.	Retain the definition of 'Impervious Area' as notified.	Open Submission
Definitions /Definitions /INDUSTRIAL WASTE AND TRADE WASTE	Ella Shields Carmen Taylor	246.8	Support	The submitter supports the definition of 'Industrial Waste and Trade Waste' as the same as that provided in the NPS.	Retain the definition of 'Industrial Waste and Trade Waste' as notified.	Open Submission
Definitions /Definitions /LIGHT INDUSTRIAL ZONE	Ella Shields Carmen Taylor	246.9	Oppose	Opposes the Definition of 'Light Industrial Zone' as the inclusion of this definition is inconsistent with the approach to zone descriptions in the PDP, in that, with the exception of 'Centre Zone', definitions are not included for any of the PDP's other zones. Rather the nature and character of the city's various zones are described in the introduction, as well as objectives and policies, contained in each zone 'chapter' of the PDP. Given the context provided within each zone 'chapter' (including the 'Light Industrial Zone' chapter of the PDP), providing definitions of any zone, including a definition of the 'light industrial zone' is not required. This approach is consistent with the NPS which provide definitions for zones but does provide descriptions for zone names (Section 8 and Table 13 of the NPS). The proposed PDP definition of 'light industrial zone' generally reflects the zone description contained in the NPS.	Delete the notified definition of 'Light Industrial Zone'.	Open Submission
Definitions /Definitions /NOISE SENSITIVE ACTIVITY	Ella Shields Carmen Taylor	246.10	Support	The submitter supports the Definition of 'Noise Sensitive Activity' as the PDP contains definitions for both 'Activities Sensitive To Noise' and 'Noise Sensitive Activities' with these two definitions listing similar but different activities that are likely to be sensitive to noise. Reliance on two differing definitions within different sections of the PDP is considered to be problematic. It is proposed that the PDP continues to rely on the 'Noise Sensitive Activity' definition as notified. This is primarily as this is the definition contained in the Operative Plan and therefore the community will largely be familiar with the implications of this term.	Retain the definition of 'Noise Sensitive Activity' as notified.	Open Submission
Definitions /Definitions /REDEVELOPMENT OF IMPERVIOUS AREA	Ella Shields Carmen Taylor	246.11	Support	Supports the Definition of 'Redevelopment of Impervious Area' as the definition clearly outlines activities that do not constitute redevelopment of impervious areas (i.e., activities that do not result in more stormwater being generated and discharged).	Retain the definition of 'Redevelopment Of Impervious Area' as notified.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /REVERSE SENSITIVITY	Ella Shields Carmen Taylor	246.12	Support	Supports the Definition of 'Reverse Sensitivity' as for Ravensdown, given the presence of its Napier Works which is a heavy industrial activity appropriately located in an industrial zone, providing for the effective management of reverse sensitivity effects on Ravensdown's lawfully established activities, within the PDP, is important. For this reason, including a definition which effectively describes what reverse sensitivity is, is important.	Retain the definition of 'Reverse Sensitivity' as notified.	Open Submission
Definitions /Definitions /SENSITIVE ACTIVITIES	Ella Shields Carmen Taylor	246.13	Support	Supports the Definition for 'Sensitive Activities' as irrespective of national variability, the PDP's proposed definition effectively reflects the nature of activities that are sensitive to adverse effects associated with other lawful activities located in industrial zones.	Retain the definition of 'Sensitive Activities' as notified.	Open Submission
Definitions /Definitions /SIGNIFICANT HAZARDOUS FACILITIES	Ella Shields Carmen Taylor	246.14	Oppose	Opposes the definition for 'Significant Hazardous Facilities' as given the controls in place under HSNOA and various regulations, there is no need for additional regulatory control on the storage and use of hazardous substances under the PDP. In addition, the proposed PDP definition does not seem to be consistent with the evaluative process required under the Health and Safety at Work (Major Hazard Facilities) Regulations 2016 (MHF) to determine whether or not a facility is a MHF (plus the process for determining lower or upper tier MHFs). For these reasons, the deletion of this definition is requested as well as the deletion of this term from the associated HAZS Section Rules.	Delete the definition of 'Significant Hazardous Facilities' as follows: Means any facility which involves one or more of the following activities: — Manufacturing of hazardous substances (including industries; manufacturing agrochemicals, fertilisers, acids/alkalis or paints); — Oil and gas exploration and extraction facilities; — The storage/use of more than 100,000l of petrol; — The storage/use of more than 50,000l of diesel; — The storage/use of more than 6 tonnes of LPG; — Galvanising plants; — Electroplating and metal treatment facilities; — Tanneries; — Freezing works and rendering plants; — Wastewater treatment plants; — Metal smelting and refining (including battery refining or recycling); — Milk treatment plants; — Fibreglass manufacturing; — Polymer foam manufacturing; — Asphalt/bitumen manufacture or storage; or — Landfills. AND, Consequential amendments throughout the PDP.	Open Submission
Definitions /Definitions /SITE	Ella Shields Carmen Taylor	246.15	Support	Supports the definition of 'Site' as it is the same as that provided in the NPS.	Retain the definition of 'Site' as notified.	Open Submission
Definitions /Definitions /STORMWATER	Ella Shields Carmen Taylor	246.16	Support	Supports the definition of 'Stormwater' as being the same as that provided in the NPS.	Retain the definition of 'Stormwater' as notified.	Open Submission
Definitions /Definitions /SWALE	Ella Shields Carmen Taylor	246.17	Oppose	Opposes the definition for 'Swale' as the proposed definition is problematic, particularly as it infers that a swale equates to the formation of a watercourse (i.e., this could be inferred to mean that a new 'surface water body' has been constructed). The definition is also too simplistic and is not sufficiently nuanced.	Delete the notified definition of 'Swale' as follows: means an area of land that has been shaped to allow a watercourse to form during stormwater collection.	Open Submission
Definitions /Definitions /WET INDUSTRY	Ella Shields Carmen Taylor	246.18	Oppose	Opposes the proposed PDP definition of a 'Wet Industry' as it is an inaccurate description of so-called wet industries, in that it is not necessary for industrial activities that use process water, such as Ravensdown's Napier Works, to be connected to a trade waste network. While industries that use process water then generally generate wastewater that requires treatment and disposal, for some industries it is feasible and environmentally sustainable for on-site wastewater treatment and disposal to be used (subject to compliance with regional council permitted activity rules or discharge permits). This is the case for Ravensdown's Napier Works. On this basis, the PDP's proposed definition of 'wet industry' is not correct and therefore should be deleted. In addition, there is no need to differentiate between heavy and/or wet industries in the PDP, and that only the term 'heavy industry', based on the PDP definition proposed, should be used throughout the PDP.	Delete the notified definition of 'Wet Industry' as follows: Industry that requires process water and a connection to the trade waste network. AND, Consequential amendments throughout the PDP.	Open Submission
Definitions /Definitions /PORT RELATED ACTIVITIES	Ella Shields Carmen Taylor	246.41	Support	Supports the definition of 'Port Related Activities' as Ravensdown operates a bulk store at Napier Port and its operations at the port are appropriately accommodated within the definition. Therefore, the proposed definition is supported.	Retain the definition of 'Port Related Activities', including clauses (c) and (f) of the definition, as notified.	Open Submission
Definitions /General /General	Phil Stickney	247.2	Oppose	Considers that including a definition that guides users in respect of what constitutes a habitable room. Guidance on this matter is contained in Part 14 of the National Planning Standards	Amend the definitions to include the definition set out in Part 14 of the National Planning Standards to be included within The Plan.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
<p>Definitions /Definitions /RESIDENTIAL CARE FACILITY</p> <p>means the use of land and/or buildings such as an old persons' home, convalescent home, nursing home, rest home, women's or men's refuge, hospital, hostel, or charitable institution in which board and lodging or lodging alone is provided or intended to be provided. This does not include a day care centre, travellers' accommodation, or a retirement complex.</p>	Ana Ika	250.1	Oppose	Considers the importance of housing for the well-being of vulnerable whanau in the community and concerns regarding the Residential Care Facility Definition. Opposes the inclusion of "charitable institution" from the definition considering the application of the definition in GRZ-R6 and Consent Processes could hinder operations and impede capacity to support vulnerable whanau in Napier. Refer to original submission for full background.	Seeks the deletion of "charitable institution" from the definition of a residential care facility.	Open Submission
<p>Definitions /Definitions /BED</p> <p>has the same meaning as in section 2 of the RMA (as below):</p> <p>means—</p> <p>in relation to any river—</p> <p>for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the river cover at its annual fullest flow without overtopping its banks: in all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks; and</p> <p>in relation to any lake, except a lake controlled by artificial means,—</p> <p>for the purposes of esplanade reserves, esplanade strips, and subdivision, the space of land which the waters of the lake cover at its annual highest level without exceeding its margin: in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin; and</p> <p>in relation to any lake controlled by artificial means, the space of land which the waters of the lake cover at its maximum permitted operating level; and</p> <p>in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.</p>	Trevor Ellis	253.5	Support	The definition implements the Act.	Retain as notified	Open Submission
<p>Definitions /Definitions /BEST PRACTICABLE OPTION</p> <p>has the same meaning as in section 2 of the RMA (as below):</p> <p>in relation to a discharge of a contaminant or an emission of noise, means the best method for preventing or minimising the adverse effects on the environment having regard, among other things, to—</p> <p>the nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects; and the financial implications, and the effects on the environment, of that option when compared with other options; and the current state of technical knowledge and the likelihood that the option can be successfully applied.</p>	Trevor Ellis	253.6	Support	The definition implements the Act.	Retain as notified	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
<p>Definitions /Definitions /COASTAL MARINE AREA has the same meaning as in section 2 of the RMA (as below): means the foreshore, seabed, and coastal water, and the air space above the water:</p> <p>of which the seaward boundary is the outer limits of the territorial sea; of which the landward boundary is the line of mean high water springs, except that where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of: 1 kilometre upstream from the mouth of the river; or the point upstream that is calculated by multiplying the width of the river mouth by 5.</p>	Trevor Ellis	253.7	Support	The definition implements the Act.	Retain as notified	Open Submission
<p>Definitions /Definitions /ENVIRONMENT has the same meaning as in section 2 of the RMA (as below): includes—</p> <p>ecosystems and their constituent parts, including people and communities; and all natural and physical resources; and amenity values; and the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) or which are affected by those matters.</p>	Trevor Ellis	253.8	Support	The definition implements the Act.	Retain as notified	Open Submission
<p>Definitions /Definitions /ESPLANADE RESERVE has the same meaning as in section 2 of the RMA (as below): means a reserve within the meaning of the Reserves Act 1977—</p> <p>which is either— a local purpose reserve within the meaning of section 23 of that Act, if vested in the territorial authority under section 239; or a reserve vested in the Crown or a regional council under section 237D; and which is vested in the territorial authority, regional council, or the Crown for a purpose or purposes set out in section 229.</p>	Trevor Ellis	253.9	Support	The definition implements the Act.	Retain as notified	Open Submission
<p>Definitions /Definitions /ESPLANADE STRIP has the same meaning as in section 2 of the RMA (as below): means a strip of land created by the registration of an instrument in accordance with section 232 for a purpose or purposes set out in section 229.</p>	Trevor Ellis	253.10	Support	The definition implements the Act.	Retain as notified	Open Submission
<p>Definitions /Definitions /NATURAL AND PHYSICAL RESOURCES has the same meaning as in section 2 of the RMA (as below):</p> <p>Includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.</p>	Trevor Ellis	253.11	Support	Supports as the definition implements the Act.	Retain as notified.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
<p>Definitions /Definitions /SIGNIFICANT NATURAL AREA has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB) and means:</p> <p>any area that, after the commencement date [of the NPSIB], is notified or included in a district plan as an Significant Natural Area (SNA) following an assessment of the area in accordance with Appendix 1; and any area that, on the commencement date [of the NPSIB], is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in which case it remains as an SNA unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna.</p>	Trevor Ellis	253.12	Support	Supports as the definition implements the NPS-IB 2023.	Retain as notified.	Open Submission
<p>Definitions /Definitions /WATER has the same meaning as in section 2 of the RMA (as below): means water in all its physical forms whether flowing or not and whether over or under the ground: includes fresh water, coastal water, and geothermal water: does not include water in any form while in any pipe, tank, or cistern.</p>	Trevor Ellis	253.13	Support	Supports as the definition implements the Act.	Retain as notified.	Open Submission
<p>Definitions /Definitions /WATER SENSITIVE DESIGN Means an interdisciplinary approach to land use and development planning, design and implementation which integrates land use and water management, to minimise adverse effects on freshwater systems and coastal environments, particularly from stormwater runoff</p>	Trevor Ellis	253.14	Amend	Considers that while the definition is supported in principle it should be amended to more closely align with the NPS-FM and NZCPS.	Amend as follows: Water Sensitive Design Means an interdisciplinary approach to land use and development planning, design and implementation which integrates land use and water management, to <u>avoid, remedy, and</u> minimise adverse effects on freshwater systems and coastal environments, particularly from stormwater runoff	Open Submission
<p>Definitions /Definitions /WATERBODY has the same meaning as in section 2 of the RMA (as below): means fresh water or geothermal water in a river, lake, stream, pond, wetland, or aquifer, or any part thereof, that is not located within the coastal marine area.</p>	Trevor Ellis	253.15	Support	Supports as the definition implements the Act.	Retain as notified.	Open Submission
<p>Definitions /Definitions /WETLAND has the same meaning as in section 2 of the RMA (as below): includes permanently or intermittently wet areas, shallow water, and land water margins that support a natural ecosystem of plants and animals that are adapted to wet conditions.</p>	Trevor Ellis	253.16	Support	Supports as the definition implements the Act.	Retain as notified.	Open Submission
<p>Definitions /Definitions /General</p>	Trevor Ellis	253.17	Amend	Considers that the interpretation section has several missing definitions that would assist in increasing clarity in so far as the Plan is concerned. The National Policy Statement for Indigenous Biodiversity 2023 provides several definitions that should be implemented to give effect to it. NCC has stated that they will implement the NPS-IB in a later Variation but currently include several definitions from the NPS-IB already such as Significant Natural Area. To ensure that biodiversity is protected in the meantime before the Variation is notified, there should be further definitions included from the NPS-IB.	Seeks to amend the definitions section to include definitions from the NPS-IB 2023.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	Trevor Ellis	253.18	Amend	Considers that a definition of biodiversity compensation should be included from the NPS-IB to assist in implementing the higher order document.	Seeks to insert the following definition into the Plan: <u>Biodiversity compensation</u> means a conservation outcome that meets the requirements in Appendix 4 and results from actions that are intended to compensate for any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, remediation, and biodiversity offsetting measures have been sequentially applied.	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.19	Amend	Considers that a definition of biodiversity offset should be included from the NPS-IB to assist in implementing the higher order document.	Seeks to insert the following definition into the Plan: <u>Biodiversity offset</u> means a measurable conservation outcome that meets the requirements in Appendix 3 and results from actions that are intended to: (a) redress any more than minor residual adverse effects on indigenous biodiversity after all appropriate avoidance, minimisation, and remediation measures have been sequentially applied; and (b) achieve a net gain in type, amount, and condition of indigenous biodiversity compared to that lost	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.2	Amend	Considers that as the term “coastal environment” is used throughout the plan, it should be defined using Policy 1 of the NZCPS.	Seeks to insert an updated definition of Coastal Environment as per Policy 1 of the NZCPS 2010: <u>Coastal environment</u> means an environment in which the coast is a significant element or part, and includes: (a) the coastal marine area; (b) islands within the coastal marine area; (c) areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these; (d) areas at risk from coastal hazards; (e) coastal vegetation and the habitat of indigenous coastal species including migratory birds;(f) elements and features that contribute to the natural character, landscape, visual qualities or amenity values;(g) items of cultural and historic heritage in the coastal marine and terrestrial systems, including the intertidal zone; and(h) physical resources and built facilities, including infrastructure, that have modified the coastal environment	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.21	Amend	considers that as the term “conservation activity” is used throughout the Plan, a definition should be provided so its meaning is clear.	seeks to insert the following definition into the Plan: <u>Conservation Activities</u> means the use of land and buildings for any activity undertaken for the purposes of maintaining, protecting or enhancing the natural, historic or ecological values of a natural or historic resource on reserve, conservation or land covenanted for reserve or conservation purposes. It includes ancillary activities and activities which assist to enhance the public's appreciation and recreational enjoyment of the resource such as: • Restoration planting • Pest and weed control • Track construction and maintenance • Plant nurseries to support the above purposes	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	Trevor Ellis	253.22	Amend	The Effects Management Hierarchy is a tool provided by the National Policy Statement for Indigenous Biodiversity 2023. Several chapters of the Plan refer to indigenous biodiversity regardless of whether the ECO chapter has been notified.Considers that the insertion of the Effects management hierarchy now will provide guidance on how indigenous biodiversity should be treated until the ECO chapter is notified.	seeks to insert the definition of “effects management hierarchy” as written in the NPS-IB 2023: <u>effects management hierarchy means an approach to managing the adverse effects of an activity on indigenous biodiversity that requires that: (a) adverse effects are avoided where practicable; then (b) where adverse effects cannot be avoided, they are minimised where practicable; then (c) where adverse effects cannot be minimised, they are remedied where practicable; then (d) where more than minor residual adverse effects cannot be avoided, minimised, or remedied, biodiversity offsetting is provided where possible; then (e) where biodiversity offsetting of more than minor residual adverse effects is not possible, biodiversity compensation is provided; then(f) if biodiversity compensation is not appropriate, the activity itself is avoided.</u>	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.23	Amend	considers that as the term “habitat” is used throughout the Plan outside of the forthcoming ECO chapter, a definition should be inserted to provide clarity. It is suggested that the definition of Indigenous vegetation in the National Policy Statement on Indigenous Biodiversity 2023 should be used.	seeks to insert the definition of “habitat” as written in the NPS-IB: <u>habitat means the area or environment where an organism or ecological community lives or occurs naturally for some or all of its life cycle, or as part of its seasonal feeding or breeding pattern; but does not include built structures or an area or environment where an organism is present only fleetingly</u>	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.24	Amend	considers that as the term “Indigenous biodiversity” is used throughout the Plan outside of the forthcoming ECO chapter, a definition should be inserted to provide clarity. It is suggested that the definition of Indigenous biodiversity in the National Policy Statement on Indigenous Biodiversity 2023 should be used.	seeks to insert the definition of “Indigenous Biodiversity” as written in the NPS-IB: <u>indigenous biodiversity means the living organisms that occur naturally in New Zealand, and the ecological complexes of which they are part, including all forms of indigenous flora, fauna, and fungi, and their habitats</u>	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.25	Amend	considers that as the term “Indigenous vegetation” is used throughout the Plan outside of the forthcoming ECO chapter, a definition should be inserted to provide clarity. It is suggested that the definition of Indigenous vegetation in the National Policy Statement on Indigenous Biodiversity 2023 should be used.	seeks to insert the definition of “indigenous vegetation” as written in the NPS-IB: <u>indigenous vegetation means vascular and non-vascular plants that, in relation to a particular area, are native to the ecological district in which that area is located</u>	Open Submission
Definitions /Definitions /General	Trevor Ellis	253.26	Amend	considers that as the term “Species” is used throughout the Plan outside of the forthcoming ECO chapter, a definition should be inserted to provide clarity. It is suggested that the definition of species in the National Policy Statement on Indigenous Biodiversity 2023 should be used.	seeks to insert the definition of “species” as written in the NPS- IB: <u>species means a group of living organisms consisting of similar individuals capable of freely exchanging genes or interbreeding, including subspecies, varieties and organisms that are indeterminate.</u>	Open Submission
Definitions /Definitions /ACTIVITIES SENSITIVE TO NOISE	Leanne Roberts	257.1	Amend	Considers the definition of dwelling is not defined in the plan. Suggests the term residential activity should be used, as this would be consistent with the definition for activities sensitive to aircraft noise.	Seeks to amend definition of 'activities sensitive to noise' as follows: <u>Means any dwelling residential activity visitor accommodation, boarding house, marae, papakāinga, integrated residential development, retirement village, supported residential care, care centres, lecture theatres in tertiary education facilities, classroom in education facilities, and healthcare facilities with an overnight stay facility</u>	Open Submission
Definitions /Definitions /General	Leanne Roberts	257.2	Amend	Seeks a new definition for artificial crop protection structures and provision in the roles for such structures. States they are distinctly different to crop protection devices which are focused on noise.	Seeks to include a definition for artificial crop protection structures: <u>Means structures with permeable material used to protect crops and/ or enhance growth (excluding greenhouses). Artificial crop protection structures are not buildings.</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /CROP PROTECTION DEVICES	Leanne Roberts	257.3	Amend	Considers the definition of crop protection devices and related rules appears to include devices that emit noise, as opposed to other types of devices. States it should be clear that the intent of the definition is limited to noise emitting devices. The relevant terms used in the rules are audible bird scaring device, hail cannon and frost protection fans. These terms should be defined so they inform the specific rules.	Seeks to delete the definition of crop protection devices and include definitions for: <u>Audible bird scaring device</u> <u>means gas guns and audible avian distress devices used for the purpose of disturbing or scaring birds. It excludes firearms and vehicles used for that purpose.</u> <u>Frost protection fans</u> <u>means fixed devices used to move air to protect a crop from frost damage.</u> <u>Hail cannons</u> <u>are devices generating shock waves to disrupt the formation of hailstones in the atmosphere.</u>	Open Submission
Definitions /Definitions /General	Leanne Roberts	257.4	Amend	Seeks a definition for greenhouse and specific provisions in the rules for such structures.	Seeks to include a definition for greenhouse: <u>Means a structure enclosed by impermeable material used for the cultivation or protection of plants in a controlled environment</u> <u>but excludes artificial crop protection structures.</u>	Open Submission
Definitions /Definitions / HIGHLY PRODUCTIVE LAND	Leanne Roberts	257.5	Amend	Submitter supports the inclusion for highly productive land. However, states definition will only apply once highly productive land has been mapped and included in the Hawkes Bay Regional Policy Statement. There needs to be an interim definition until such mapping and plan changes have occurred based on clause 3.5 (7) of the NPSHPL.	Seeks to amend the definition of highly productive land as follows: <u>Until such time as mapping of highly productive land has been undertaken highly productive land is as defined in Clause 3.5 (7) of the NPSHPL being land that is zoned general rural or rural production land that is LUC1,2, or 3 land but is not identified for future urban development or subject to a Council initiated or adopted notified plan change to rezone it from general rural or rural production to urban or rural lifestyle.</u> <u>For the purposes of this plan in the interim highly productive land will include versatile land as defined in the Regional Policy Statement 2010.</u> Alternatively seeks to add definition for productive soils which are highly productive land and versatile soils.	Open Submission
Definitions /Definitions / NOISE SENSITIVE ACTIVITY	Leanne Roberts	257.6	Amend	Supports inclusion of a definition for noise sensitive activity but seeks that there is clarity in the definition. The proposed definition uses travellers' accommodation but the defined term in the Plan is visitor accommodation. Places of assembly are not defined in the Plan nor in the National Planning Standards. It is unclear how rules for noise sensitive activities would apply to such areas which are not defined. There is also a definition for 'activities sensitive to noise'. It would appear that they seek to address the same issues and the terms should be amended to use one term consistently in the Plan.	Seeks to Amend the definition of noise sensitive activity, by deleting travellers' accommodation and replacing it with visitor accommodation, delete places of assembly, delete definition of either noise sensitive activity, or activities sensitive to noise.	Open Submission
Definitions /Definitions / PRIMARY BUILDING AND/OR STRUCTURE	Leanne Roberts	257.7	Amend	Considers the definition of dwelling is not defined in the plan. Suggests the term residential activity should be used as this would be consistent with the definition for primary building and/or structure.	Seeks to amend the definition of primary building and/or structure by replacing dwelling with residential activity in a residential area or rural production zone.	Open Submission
Definitions /Definitions / PRODUCTIVE CAPACITY	Leanne Roberts	257.8	Amend	Amend the definition of primary building and/or structure by: Replace dwelling with residential activity in a residential area or rural production zone.	Seeks to delete 'land-based' form the definition of productive capacity.	Open Submission
Definitions /Definitions / SENSITIVE ACTIVITIES	Leanne Roberts	257.9	Amend	Considers, 'Places of assembly' are not defined in the Plan nor in the National Planning Standards. It is unclear how rules for sensitive activities would apply to such areas which are not defined.	Seeks to amend the definition of sensitive activities by deleting places of assembly.	Open Submission
Definitions /General /General	Leanne Roberts	257.10	Amend	Considers that the plan specifically provides for this activity, so a definition is warranted for plan interpretation. The proposed definitions are those included in the Hastings District Plan and Proposed Central Hawke's Bay District Plans.	Seeks to Amend to: <u>Seasonal worker accommodation means any premises used for accommodation purposes directly associated with the seasonal labour requirements of the Districts horticulture, viticulture, and cropping industries and includes both new and existing permanent buildings and relocatable structures</u> OR <u>Seasonal worker accommodation means any premises used for residential accommodation purposes directly associated with the seasonal labour requirements of the District's agriculture, horticulture, viticulture, and cropping industries, including both existing permanent buildings and new relocatable structures.</u> <u>Seasonal workers accommodation includes ancillary kitchen, dining and ablution facilities and other ancillary living and recreation facilities for the exclusive use of resident seasonal workers, whether in one building or multiple buildings.</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions / SUPPORTING ACTIVITIES	Leanne Roberts	257.11	Amend	The definition of supporting activities relates only to highly productive land. Therefore the definition should only relate to highly productive land. At present it could imply that the definition could apply to any land, not just highly productive land.	Seeks to amend the title to the definition for supporting activities: Supporting activities (highly productive land)	Open Submission
Definitions /Definitions / VERSATILE LAND	Leanne Roberts	257.12	Amend	Considers that the term versatile land will become redundant once the mapping of highly productive land is included in the regional policy statement. The land included as versatile land includes more than that the interim definition for highly productive land but may be included in the mapping of highly productive land. Until that time there is a need to provide for versatile land as in the Operative Regional Policy Statement in the interim.	Seeks to include versatile land as defined in the Regional Policy Statement 2010 as highly productive land in the interim definition of highly productive land to apply until such time as mapping of highly productive land has been undertaken and included in the Regional Policy Statement.	Open Submission
Definitions /Definitions / PRODUCTIVE CAPACITY	Leanne Roberts	257.13	Amend	Considers addressing productive land in the Plan is complex as the versatile land provisions of the RPS apply and the NPSHPL highly productive land. In a number of places, the Plan (eg SD-UFD-16) refers to 'productive soils'. It would be appropriate to define both highly productive land and versatile soils and then include them in an umbrella definition for productive soils.	Seeks to include a definition for productive soils: <u>Are highly productive land and versatile land as defined in this Plan.</u>	Open Submission
Definitions /Definitions /General	Leanne Roberts	257.14	Amend	Considers there needs to be adequate provision for ancillary rural earthworks to enable small scale earthworks to be undertaken as a permitted activity. This is particularly important in response to natural hazard events. Cultivation is not included in the definition as it is a separate activity and not part of earthworks activities.	Seeks to Add Provision for ancillary rural earthworks: <u>Ancillary rural earthworks, means:</u> a) <u>Normal agricultural and horticultural practices, such as ploughing, planting trees, root ripping, digging post holes, maintenance of drains, troughs and installation of their associated pipe networks, and realignment of fencelines, drilling bores and offal pits, burying of dead stock and plant waste;</u> b) <u>Land preparation and vegetation clearance undertaken as part of horticultural plantings; and Maintenance of existing walking tracks, farm and forestry tracks, driveways, roads and accessways within the same formation width.</u>	Open Submission
Definitions /Definitions /General	Phil Stickney	263.1	Amend	Insert a new definition for habitable room to clarify and aid in useability of the MRZ, MUZ and HRZ and to align with the relief sought in respect of Rule MRZ-S12, MHALP. The definition set out in Part 14 of the National Planning Standards is sought to be included within The Plan.	Seeks the definition set out in Part 14 to be included within The Plan.	Open Submission
Definitions /Definitions /General	Phil Stickney	263.2	Amend	Amend definition of 'Retail Activity' as it is too broad and enables a significant range of activities to establish. Refinement will provide more certainty and enable tailored management within the zone. A definition that enables trade supply activities as a clearly defined activity within the LFRZ and GIZ and LIZ is sought to enable operations to span across trade supplies and customer supplies.	Include a definition of trade supply which captures sales also to the general public of: a) Automotive or marine supplies; b) Building supplies; c) Catering equipment; d) Farming and agricultural supplies; e) Garden and outdoor equipment; f) Industrial supplies; g) Landscape supplies; h) Outdoor recreation equipment; i) Pet supplies; and j) Maintenance and cleaning supplies.	Open Submission
Definitions /Definitions /HIGHLY PRODUCTIVE LAND	Nichola Nicholson	264.1	Amend	Amend the definition of Highly Productive Land. The PDP's Glossary only replicates part of the meaning of 'highly productive land' as defined in the National Policy Statement for Highly Productive Land. HBRC has a programme of work underway to prepare maps of highly productive land in the region and publicly notify those maps for inclusion in the Regional Policy Statement by October 2025 (as directed to do so by the NPSHPL). In the meantime, the NPSHPL features provisions for councils' making decisions on proposed plans and consent applications before those maps of highly productive land are operative in the RPS.	Amend definition of 'highly productive land' to repeat in full the same definition as given in the NPSHPL (i.e., by adding the words "... (but see Clause 3.5(7) for what is treated as highly productive land before the maps as included in an operative regional policy statement and clause 3.5(6) for when land is rezoned and therefore ceases to be highly productive land)."	Open Submission
Definitions /Definitions / VERSATILE LAND	Nichola Nicholson	264.11	Amend	Some terms are used interchangeably and inconsistently in the PDP. For example, Issue RLZ-11 refers to loss of "highly productive land and versatile soil" whereas Definitions feature the term 'versatile land.' Another example of inconsistent terminology is Policy RLZ-P4a which refers to "productive capacity of highly productive land and soils" but not 'versatile' soils here. These are a few examples to illustrate our point, but these may not be the only instances throughout the PDP of such inconsistencies.	Amend PDP as necessary to remove ambiguity, confusion and increase consistent use of terms when referencing land/soil of high productive value.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /General /General	Heritage New Zealand Pouhere	273.2	Amend	Considers the Definition of 'Archaeological Site' should usefully be defined in the Definitions Section as it is used in a number of places in the Plan, and for the avoidance of doubt, it would be beneficial for the term to be defined.	Amend the Interpretation / Definitions Section as follows: <u>Archaeological site -</u> <u>has the same meaning as given in the Heritage New Zealand Pouhere Taonga Act 2014 (as set out below):means, subject to section 42(3) of the HNZPT Act,-</u> <u>a. any place in New Zealand, including any building or structure (or part of a building or structure), that -</u> <u>i. was associated with human activity that occurred before 1900</u> or is the site of the wreck of any vessel where the wreck occurred <u>before 1900; and</u> <u>ii. provides or may provide, through investigation by archaeological methods, evidence relating to the history of New Zealand; and</u> <u>b. includes a site for which a declaration is made under section 43(1) of the HNZPT Act.</u>	Open Submission
Definitions /Definitions /ALTERATION OR ADDITION	Heritage New Zealand Pouhere	273.3	Amend	Considers the Definition of 'Alteration or Addition' should be amended as a very broad definition for alteration is proposed, which potentially extends far beyond the common word usage of the word 'alteration'.The terms alteration and addition should be separated. Under the proposed provisions, the demolition of a front façade of a scheduled heritage building, could be treated as an alteration. In the current definition, demolition up to 30% of a building, is covered by the term 'alteration'. It has no regard to how significant this portion of a building is, or whether previous parts of a building have been demolished or substantially altered. Provisions which potentially disguise a significant volume of 'partial demolition' under a more oblique term, could potentially encourage demolition in stages.	Amend 'Alteration or Addition' Definition as follows: Alteration and Addition: Means any change to, addition to, or removal of up to 30% of the total floor area or volume (whichever is the lesser), of any scheduled historic heritage item or building or structure within an historic heritage overlay or precinct. It does not include repair and/or maintenance, or safety alteration works, which have a separate meaning in this Plan <u>Alteration</u> <u>means modifications to a building or object that do not have the effect of increasing the gross floor area, footprint, mass or height of the building or object.</u> <u>Addition:</u> <u>means modifications to a building or object that have the effect of increasing the gross floor area, footprint, mass or height of the building or object and includes the creation of new floor levels.</u>	Open Submission
Definitions /Definitions / CONSERVATION PLAN	Heritage New Zealand Pouhere	273.4	Support	Supports the Definition of 'Conservation Plan' suggested by HNZPT as part of their submission to the Draft Plan that has now been accepted in the PDP.	Retain the Definition of 'Conservation Plan' as notified.	Open Submission
Definitions /Definitions / CONTRIBUTORY SITES	Heritage New Zealand Pouhere	273.5	Support	Supports the Definition of 'Contributory Sites' as the definition clarifies the meaning of the term Contributory Sites.	Retain the Definition of 'Contributory Sites' in its entirety.	Open Submission
Definitions /Definitions / HISTORIC HERITAGE	Heritage New Zealand Pouhere	273.6	Support	Supports the Definition of 'Historic Heritage' as HNZPT is supportive of a definition of Historic Heritage that cross-references the definition found in the RMA.	Retain the Definition of 'Historic Heritage'.	Open Submission
Definitions /Definitions / MAINTENANCE (HERITAGE)	Heritage New Zealand Pouhere	273.7	Support	The submitter supports the Definition of 'Maintenance (Heritage)'.	Retain the Definition of 'Maintenance (Heritage)' as notified.	Open Submission
Definitions /Definitions / NON-CONTRIBUTORY SITE	Heritage New Zealand Pouhere	273.8	Support	Supports the Definition of 'Non-Contributory Site' as the term is useful for interpreting provisions applying to Heritage Overlay areas.	Retain the Definition of 'Non-Contributory Site' in the PDP.	Open Submission
Definitions /Definitions / PARTIAL DEMOLITION	Heritage New Zealand Pouhere	273.9	Oppose	Opposes the Definition of 'Partial Demolition' as concern is raised that partial demolition does not cover demolition of less than 30% of building. See comments under the submission point on the definition of 'Alteration and Addition'. Suggested definition is taken from Wellington City Council Proposed Plan.	Amend the 'Partial Demolition' Definition as follows: <u>means alterations to demolish, destroy or remove part of any building or structure.</u> the removal or demolition of between 30% and 80% of the total floor area or volume (whichever is the lesser) of a building or structure.	Open Submission
Definitions /Definitions / REPAIR (HERITAGE)	Heritage New Zealand Pouhere	273.10	Amend	HNZPT considers that an amendment is required to the 'Repair (Heritage)' Definition solely because there is a spelling mistake.	Amend 'Repair (Heritage)' Definition as follows: "means.... material material "	Open Submission
Definitions /Definitions / SAFETY ALTERATIONS (HERITAGE)	Heritage New Zealand Pouhere	273.11	Support	Supports the Definition of 'Safety Alterations (Heritage)' for improving structural performance, fire safety or physical access.	Retain the Definition of 'Safety Alterations (Heritage)' as notified.	Open Submission
Definitions /Definitions / SEISMIC STRENGTHENING	Heritage New Zealand Pouhere	273.12	Support	Supports the Definition of 'Seismic Strengthening' to make buildings or structures more resistant to seismic activity.	Retain the Definition of 'Seismic Strengthening'.	Open Submission
Definitions /Definitions / TOTAL DEMOLITION	Heritage New Zealand Pouhere	273.13	Oppose	Opposes the Definition of 'Total Demolition' in accordance with the HNZPT submission points made on 'Partial Demolition' and Definition of 'Alteration or Addition'.	Amend the Definition of 'Total Demolition' as follows: Total Demolition means <u>the removal or demolition of more than 80% of the total floor area or volume (whichever is the lesser) of a building or structure. to completely destroy or demolish.</u>	Open Submission
Definitions /Definitions / WĀHI TAPU	Heritage New Zealand Pouhere	273.14	Support	Supports the Definition of 'Wāhi Tapu'.	Retain the Definition of 'Wāhi Tapu' as notified.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions /General	NZ Transport Agency Waka Kota	277.1	Amend	Seeks the inclusion of a definition of High Land Transport Noise Control Overlay for clarity. This submission point aligns with other NZTA submission points on the Noise Chapter and Planning Maps seeking the inclusion of provisions and amendment to the High Land Transport Noise mapped overlay extent.	Add new definition as follows: <u>High Land Transport Noise Control Overlay</u> means the area potentially affected by noise between a railway corridor boundary or State Highway boundary and a distance of 100m. High Land Transport Noise Control Overlay shown on the planning maps identifies areas that have the potential to experience high noise levels from rail and road traffic. New buildings and alterations to habitable rooms in buildings used for sensitive land uses are required to demonstrate that adverse noise effects have been appropriately managed by demonstrating compliance with the standards specified in the Noise Chapter.	Open Submission
Definitions /Definitions /General	NZ Transport Agency Waka Kota	277.2	Amend	Seeks the inclusion of a definition of Transport Network. Supports the inclusion of this definition as transport network is a term is used throughout the Plan and for clarity, and seeks a definition which includes the state highway network.	Add new definition as follows: <u>Transport Network</u> means Transport networks and operations in Napier City of national or regional significance including: <u>State highways;</u> <u>Arterial roads;</u> <u>Rail networks and systems; and</u> <u>The region's core public passenger transport operations.</u>	Open Submission
Definitions /Definitions / CLEANFILL MATERIAL	NZ Transport Agency Waka Kota	277.3	Support	Supports as Council has amended definition to be consistent with the National Planning Standards definition.	Retain as notified.	Open Submission
Definitions /Definitions / EDUCATIONAL FACILITY	NZ Transport Agency Waka Kota	277.4	Support	Supports as council has amended definition to be consistent with the National Planning Standards definition.	Retain as notified.	Open Submission
Definitions /Definitions / HABITABLE ROOM	NZ Transport Agency Waka Kota	277.5	Support	Supports the definition of 'habitable room' within the Draft Plan. Acknowledges this definition is taken from the national planning standards.	Retain the national planning standard definition of Habitable Room as drafted.	Open Submission
Definitions /Definitions / HEIGHT IN RELATION TO BOUNDARY	NZ Transport Agency Waka Kota	277.6	Support	Supports the inclusion of a definition for height in relation to boundary.	Retain as notified	Open Submission
Definitions /Definitions / INFRASTRUCTURE	NZ Transport Agency Waka Kota	277.7	Support	Supports the definition of Infrastructure within the Draft Plan, as it is consistent with Part 2 of the Resource Management Act 1991	Retain as notified	Open Submission
Definitions /Definitions / SIGN	NZ Transport Agency Waka Kota	277.8	Support	Supports as Council has amended definition to be consistent with the National Planning Standards definition.	Retain as notified.	Open Submission
Definitions /Definitions / PAKAKAINGA	Development Nous Limited - Ph	280.1	Amend	To clarify and aid in useability of the PAK provisions, the definition of Papakāinga in the Definitions section of the Plan should be refined and expanded upon. The importance of the Papakāinga definition is the linkage to be established between the activity and the relationship of Mana whenua to the land as well as capturing the fact that other activities are often an integral component of such communities.	Seeks to Amend the current definition in the Plan to read: PAKAKAINGA HOUSING means a comprehensive residential development for tangata whenua residing in Napier City to provide residential accommodation for members of iwi or hapū groups on Māori land and/ or land which Mana Whenua have a connection to and/or within the Māori Purpose zone, and also includes communal buildings, facilities and commercial activities to support the papakāinga and community.	Open Submission
Definitions /Definitions / MĀORI PURPOSE ACTIVITIES	Development Nous Limited - Ph	280.2	Amend	The Submitter seeks a wider and more inclusive definition of Māori Purpose Activities to that currently set out in the Plan. The current definition centres largely on festivals, events (temporary), traditional cultural practices and ancillary structures to support such activities. MAT submit that this is a somewhat narrow view of Māori Purpose Activities, noting that there is already a definition for Māori Cultural Activity in the Plan. It is further noted that there is also a definition of Māori Cultural Tourism Activities in the Plan. It is considered that a merging and restructuring of such definitions is required in order to capture the relief sought by the Submitter on this issue and result in a more cohesive suite of definitions.	Add a new definition and/or restructure the existing relevant definitions within the Plan to ensure that the following matters are captured and can be utilised for the respective zones over which they are intended to apply: <u>MĀORI PURPOSE ACTIVITIES</u> means the use of land and/or buildings for a range of activities for <u>Māori cultural, community and living purposes, and/or integrated Māori development, including but not limited to one or more of the following activities:</u> a) <u>marae/pā;</u> b) <u>papakāinga;</u> c) <u>urupā;</u> d) <u>wānanga;</u> e) <u>customary activities;</u> f) <u>home occupation;</u> g) <u>arts and cultural centres;</u> h) <u>cultural education and research facilities;</u> i) <u>Māori cultural activities;</u> j) <u>child care services, kohanga reo or kura (schools); and</u> k) <u>whare karakia (Māori church)</u> l) <u>commercial activities to support the papakainga and community</u>	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions / AIRCRAFT OPERATION	Alec Duncan	288.1	Support	Fire and Emergency supports the definition for 'Aircraft Operation' to the extent that it excludes aircraft operations associated with emergencies including aircraft undertaking firefighting or search and rescue duties. This supports Fire and Emergency's operational functions.	Retain as notified.	Open Submission
Definitions /Definitions / AIRPORT ACTIVITY	Alec Duncan	288.2	Support	Fire and Emergency supports the definition for 'Airport Activity' to the extent that it includes activities associated with rescue and fire facilities which are an important component of airport operations.	Retain as notified.	Open Submission
Definitions /Definitions / COMMUNITY FACILITY	Alec Duncan	288.3	Amend	Given there is no definition for emergency service facility, as proposed, the definition for community facility would likely include emergency service facilities due to reference to land and buildings for safety and health purposes. Fire and Emergency does not consider this appropriate. While emergency service facilities such as fire stations are important to enable Fire and Emergency to serve communities, the facilities themselves are not community facilities in the same way that churches and community halls are. They are not for the use of the general public and have very specific operational and functional requirements. For this reason, Fire and Emergency would like emergency service facilities to be provided with a new definition for 'emergency service facility' and that this be provided for in each zone as a permitted activity.	Seeks to amend to add a new definition of emergency service facility as they are not for the use of general public.	Open Submission
Definitions /Definitions /General	Alec Duncan	288.4	Amend	Fire and Emergency seeks the inclusion of a new definition for 'Emergency Service Facility' to differentiate the role and function of emergency service facilities from other community facilities and that this be provided for in each zone as a permitted activity and be reflected in the objective and policy framework of the PDP. This acknowledges the important role and function of these facilities in the community.	Seeks New definition: <u>Emergency service facility – means the facilities of organisations that are responsible for the safety and physical welfare of people or property in the community. It includes fire stations, ambulance stations, and emergency coordination facilities.</u>	Open Submission
Definitions /Definitions / FUNCTIONAL NEED	Alec Duncan	288.5	Support	Fire and Emergency supports the definition of 'functional need' as it acknowledges that that there is a need for some proposals or activities to traverse, locate or operate in a particular environment because the activity can only occur in that environment.	Retain as notified.	Open Submission
Definitions /Definitions / HAZARDOUS SUBSTANCE	Alec Duncan	288.6	Support	Fire and Emergency supports the definition of 'Hazardous Substance' being consistent with Section 2 of the RMA and reference to other relevant legislation being the 'Hazardous Substances and New Organisms Act 1996' and the 'Hazardous Substances and New Organisms Act 1996'.	Retain as notified.	Open Submission
Definitions /Definitions / NAUTRAL HAZARD	Alec Duncan	288.7	Support	Fire and Emergency supports the definition of 'natural hazard' being consisted with Section 2 of the RMA.	Retain as notified.	Open Submission
Definitions /Definitions / OPERATIONAL NEED	Alec Duncan	288.8	Support	Fire and Emergency supports the definition of 'Operational Need' as recognises activities can have a need to operate in certain locations because of technical, logistical or operational characteristics or constraints. Fire stations that have a need to operate in certain areas may including residential environments and areas at risk of natural hazards. Allowing fire stations to operate where there is an operational need can help reduce response times to fire events and protect the community more efficiently.	Retain as notified.	Open Submission
Definitions /Definitions / SENSITIVE ACTIVITIES	Alec Duncan	288.9	Amend	Subject to the acceptance of the amendments sought to the definition of 'community facility' and 'emergency service facility', Fire and Emergency supports the definition for the reasons set out above	Retain as notified.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions / SIGNIFICANT HAZARDOUS FACILITIES	Alec Duncan	288.10	Amend	Fire and Emergency supports the definition of 'Significant Hazardous Facilities' in part, to the extent that it seeks to define, and subsequently manage, the effects of significant hazardous facilities on other land uses. However, Fire and Emergency note the following:1. The storage and/or treatment of hazardous waste (including reuse and recycling facilities) or hazardous substances awaiting reuse, recycling or treatment should be included as a 'Significant Hazardous Facility'. This would provide NCC the ability to manage facilities that become high risk as a result of stockpiling materials. Where the economics of the business changes and they cannot process or dispose of materials, this can become a high fire risk and poses a risk to the health and safety of communities.Fire and Emergency requests that 'the storage and/or treatment of hazardous waste (including reuse and recycling facilities) or hazardous substances awaiting reuse, recycling or treatment' should be listed as a significant hazardous facility.2. Emergency service facilities and associated firefighting activities involve the use and storage of hazardous substances at quantities that are considered minor. Fire and Emergency's firefighting chemicals do not have the types of hazard classifications that are covered by the WorkSafe Major Hazardous Facilities regulations, so Fire and Emergency sites would never be a Major Hazardous Facilities because of them. The only substances that Fire and Emergency have that trigger this is oxygen for medical purposes, and Fire and Emergency facilities would never come close to 200 tonne limit for a lower tier Major Hazardous Facilities.However, there are circumstances where Fire and Emergency needs to temporarily store large quantities of product in an emergency. Based on this definition, it is possible that PDP may not be able for this and could affect Fire and Emergency's ability to operate as effectively as needed.In a major event, Fire and Emergency would try to	Amend as follows: Significant hazardous facilities Means any facility which involves one or more of the following activities: <u>the storage and/or treatment of hazardous waste (including reuse and recycling facilities) or hazardous substances awaiting reuse, recycling, or treatment.</u> The following activities are not considered to be significant hazardous facilities: <u>the incidental use and storage (including for disposal) of hazardous substances for emergency service activities.</u>	Open Submission
Definitions /Definitions /General	Alec Duncan	288.11	Amend	Fire and Emergency seeks the inclusion of a new definition for 'temporary emergency services training activity' in order to provide greater clarity to plan users and to support the relief sought elsewhere in this submission.	Add a new definition: <u>Temporary emergency services training activity</u> <u>Means a temporary activity undertaken for the training of any component of Fire and Emergency New Zealand for any emergency purpose.</u> <u>An emergency purpose are those purposes which enable Fire and Emergency New Zealand to achieve its main functions under sections 11 and 12 of the Fire and Emergency New Zealand Act 2017.</u>	Open Submission
Definitions /Definitions / GREEN INFRASTRUCTURE	Dr. Chantal Pagel Natasha Sitarz	289.4	Support	The impact of climate change is a significant issue, including for Napier which was affected by Cyclone Gabrielle. Large volumes of sediment and vegetation came down with the flood waters to the north of Napier with catastrophic effects and to the west of Napier.	Supports the definition of "Green Infrastructure" contained in the proposed plan, and submits that this concept should be applied throughout the plan where it would potentially contribute to addressing the critical issue of climate change, for example in relation to stormwater attenuation and treatment.	Open Submission
Definitions /Definitions / MINOR UPGRADING OF NETWORK UTILITIES	Dr. Chantal Pagel Natasha Sitarz	289.10	Support	Supports the definition of 'Minor upgrading of network utility' as it is helpful to clarify interpretation of "minor upgrading" for network utilities. This in turn provides some certainty of potential scale for adverse effects associate with minor upgrades. However, relying on this definition alone may not be appropriate where activities to undertake upgrading would have adverse effects beyond the footprint of the network utility.	Seeks to retain the definition as proposed.Consider the need for standards and conditions in rules to manage adverse effects.	Open Submission
Definitions /Definitions / CONSERVATION PLAN	Dr. Chantal Pagel Natasha Sitarz	289.11	Amend	Considers that the definition is only used in relation to the HH chapter and should be limited to Historic Heritage.	Seeks to amend as follows <u>In relation to Historic Heritage,</u> means a document that sets out what is significant about a site and what policies are appropriate to enable that significance to be retained in the site's future use and development.	Open Submission

Definitions

Section / Sub-section / Provision	Submitter Name	Submission number / Point Number	Position	Summary of Submission	Relief Summary	Link to Submission (click to open)
Definitions /Definitions / SIGNIFICANT NATURAL AREA	Dr. Chantal Pagel Natasha Sitarz	289.12	Amend	Considers that the definition does not provide for areas of significant indigenous vegetation and significant habitats of indigenous fauna that are not yet identified in the district plan, for example an area discovered as part of a consenting process. While the SNA provisions in the NPSIB only apply to areas identified in plans, the Council still has responsibilities under s6(c) to recognise and provide for the protection of all significant areas, not only those that are identified in the Plan.	Amend as follows: Includes: a) areas meeting the definition has the same meaning as in the National Policy Statement for Indigenous Biodiversity 2023 (NPSIB) and means: i) any area that, after the commencement date [of the NPSIB], is notified or included in a district plan as a Significant Natural Area (SNA) following an assessment of the area in accordance with Appendix 1 of the NPSIB; and ii) any area that, on the commencement date [of the NPSIB], is already identified in a policy statement or plan as an area of significant indigenous vegetation or significant habitat of indigenous fauna (regardless of how it is described); in which case it remains as an SNA unless or until a suitably qualified ecologist engaged by the relevant local authority determines that it is not an area of significant indigenous vegetation or significant habitat of indigenous fauna; <u>and</u> b) <u>areas that have not been identified in the Plan, but that meet the criteria in Appendix 1 of the NPSIB.</u>	Open Submission