

DEFINITIONS

*** As defined in the Resource Management Act 1991**

Abrasive Blasting

The cleaning, smoothing, roughening, cutting or removing of part of the surface of any article by the use of an abrasive of a jet of sand, metal shot, or grit or other material propelled by a blast of compressed air or steam or by a wheel.

Act (The Act)

The Resource Management Act 1991, including any Amendments, Orders in Council and/or regulations that may be currently in force.

Agrichemicals

Any substance, whether inorganic or organic, manmade or naturally occurring, modified or in its original state, that is used to eradicate, modify or control flora or fauna, including agricultural compounds. Fertilisers are explicitly excluded from this definition.

Agricultural Compounds

Any substance, mixture of substances or biological compound used or intended for use in the direct management of plants and animals, or applied to the land, place or water on or in which plants and animals are managed. For fuller definition refer to the Agricultural Compounds and Veterinary Medicines Act 1977.

Agrichemical Container

Anything in which agrichemicals may be packed, enclosed or covered prior to application.

Air

The mixture of gases enveloping the earth and forming the atmosphere.

Air Quality Guidelines

Concentration levels for specific contaminant as listed in Appendix 1.

Ambient Air Quality

The general quality of the surrounding air, reflecting the cumulative effect of all activities both anthropogenic and natural.

Amenity Values*

Those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence and cultural and recreational attributes.

Anthropogenic Discharges

Discharge from human activities.

Asphalt Plant

Any process for the blending or coating of road chip with any material based on tar or bitumen or asphalt and intended for road surface application.

Best Practicable Option

In relation to a discharge of a contaminant or an emission of noise, the best practicable option is the best method for preventing or minimising the adverse effects on the environment having regard to among other things:

- a) The nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects;
- b) The financial implications and the effects on the environment of that option when compared with other options, and
- c) The current state of technical knowledge and the likelihood that the option can be successfully applied.

Buffer Zone

In relation to the use of agrichemicals and potentially odorous discharges, a buffer zone is the distance between the downwind edge of an area where the activity is undertaken and sensitive areas.

Clean Fill

Material that has no potential to produce harmful effects on the environment. The material is generally natural material such as clay, soil, rock and other materials such as concrete, brick or demolition products that are free of combustible or organic materials and are not subject to biological or chemical breakdown.

Clinical Wastes

Wastes associated with human or animal healthcare including wastes and body parts from hospitals, morgues, veterinary clinics, dentists and doctors' practices.

Coastal Marine Area*

Means that area of the foreshore and seabed:

- a) of which the seaward boundary is the outer limits of the territorial sea; and
- b) of which the landward boundary is the line of mean high water springs, except where that line crosses a river, the landward boundary at that point shall be whichever is the lesser of (i) one kilometre upstream from the mouth of the river; or (ii) the point upstream that is calculated by multiplying the width of the river mouth by 5.

Commercial User

Any person, group or organisation using agrichemicals in the course of their business activities. It includes any council or territorial authority managing the use of agrichemicals in amenity areas, roadsides, waterways and on noxious weeds and plants.

Contractor

Any person or organisation who, by agreement with the owner, occupier or manager of any land, applies or causes to be applied any agrichemical in an agricultural, horticultural or forestry related situation for hire or reward. It does not include an employee or an owner, occupier or manager.

Consent Authority*

Means the Minister of Conservation, a regional council, a territorial, or local authority (that is, both a regional council and a territorial authority) whose permission is required to carry out an activity for which a resource consent is required under the Act.

Contaminant*

Includes any substance (including gases, liquids, solids and micro-organisms) or energy (excluding noise) or heat that by itself or in combination with the same, similar or other substances, energy, or heat –

- a) When discharged into water, changes or is likely to change the physical, chemical or biological condition of water; or
- b) When discharged onto or into land or into air, changes or is likely to change the physical, chemical or biological condition of the land or air onto or into which it is discharged.

For the purposes of this plan radiofrequency fields are not considered contaminants.

Controlled Activity*

Means an activity that

- a) Is provided for as a controlled activity by a rule in a plan or proposed plan;
- b) Complies with standards and terms specified in a plan or proposed plan for such activities;
- c) Is assessed according to matters the consent authority has reserved control over in the plan or proposed plan; and
- d) Is allowed only if a resource consent is obtained in respect of that activity.

Cross Media Effects

Effects that cross boundaries between resources e.g. between air, land and water.

Discharge*

Includes emit, deposit and allow to escape.

Discretionary Activity*

Means an activity:

- a) That is provided for as a discretionary activity by a rule in a plan or proposed plan;
- b) That is allowed only if a resource consent is obtained in respect of that activity;
- c) That may have standards and terms specified in a plan or proposed plan; and

- d) in respect of which the consent authority may restrict the exercise of its discretion to those matters specified in a plan or proposed plan for that activity.

Dispersion Model

A modelling procedure used to predict ground level concentrations of contaminants discharged into air.

Domestic User

Any person, group or organisation using agrichemicals in a private capacity and not using agrichemicals in the course of their business activities.

Dust

All solid particulate matter that is suspended in the air or has settled after being airborne

Ecosystem

A dynamic complex of plant, animal and microorganism communities and their non-living environment interacting as a functional unit.

Effect*

Unless the context otherwise requires, the term "effect" includes:

- a) Any positive or adverse effect;
- b) Any temporary or permanent effect,
- c) Any past, present or future effect,
- d) Any cumulative effect that arises over time or in combination with other effects - regardless of the scale, intensity, duration or frequency of the effect, and also includes:
- e) Any potential effect of high probability; and
- f) Any potential effect of low probability that has a high potential impact.

Effective Supervision

Means ensuring that:

- a) Proper equipment and operating systems are provided and used in accordance with the Plan and NZS8409:2004;
- b) Agrichemical application only occurs when weather and wind conditions are in accordance with the Plan and NZS8409:2004;
- c) Instruction of the applicator has been undertaken prior to application; and
- d) Demonstration and recording of the applicator's competence can be shown.

Environment*

Includes:

- a) Ecosystems and their constituent parts, including people and communities;
- b) All natural and physical resources;

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- c) Amenity values; and
- d) The social economic, aesthetic and cultural conditions that affect the matters stated in paragraphs (a) to (c) of this definition or that are affected by those matters.

Environmental Results Anticipated

The intended result or outcome on the environment as a consequence of implementing the policy or policies and methods of implementation. It provides a means of assessing the success of the objectives, policies and methods.

Fertiliser

Fertiliser is:

- a) A substance that is described as or held out to be for, or suitable for, sustaining or increasing growth, productivity or quality of plants or animals through the application to plants or soil, whether in solid or fluid form, which can include:
 - i. nitrogen, phosphorous, potassium, sulphur, magnesium, calcium, chlorine, sodium as major nutrients; or
 - ii. manganese, iron, zinc, copper, boron, cobalt, molybdenum, iodine, selenium as minor nutrients; and
- b) Any other produce that is considered to meet identified soil or plant nutrient deficiencies and is applied with this as the principal objective.

Fire authority

Is as defined in the Forest and Rural Fires Act 1977, Section 2, Interpretation.

Fuel burning equipment

Any boiler, furnace, gas turbine, internal or external combustion engine (excluding motor vehicles, boats and aircraft) that includes a chimney or exhaust and is used primarily for the production of energy.

Fresh water

All water except coastal water and geothermal water.

Groundbased application methods

Any method of application where that part of the equipment from where the agrichemical is emitted is either on the ground or attached to equipment that is on the ground (excluding hand held application).

Habitat

Means the place or type of site where an organism or population naturally occurs.

Handheld application appliance

For the purpose of the plan a handheld appliance means a hand held sprayer with a single nozzle operated at a pressure no greater than 200 Kpa (30psi) and used to target one or more discrete areas not exceeding 2m².

Hapu

Sub-tribes, usually a number of whanau with a common ancestor.

Hazardous Substance

Means, unless expressly provided otherwise by regulations, any substance –

- a) With one or more of the following intrinsic properties:
 - i. explosiveness;
 - ii. flammability;
 - iii. a capacity to oxidise;
 - iv. corrosiveness;
 - v. toxicity (including chronic toxicity);
 - vi. ecotoxicity, with or without bioaccumulation; or
- b) That on contact with air or water (other than air or water where the temperature or pressure has been artificially increased or decreased) generates a substance with any one or more of the properties specified in paragraph (a) of this definition.

Hazardous air contaminant

Any air pollutant known or suspected to cause: acute human health effects; cancer or teratogenic effects; or serious or irreversible effects - reproductive dysfunction, neurological disorders, heritable genetic mutations or other chronic health effects. This also includes substances known or suspected to cause significant adverse effects on the environment due to their toxicity, persistence in the environment, tendency to bioaccumulate or any combination of these.

Health

In relation to human health, a state of complete physical, mental and social wellbeing, and not merely the absence of disease or infirmity (World Health Organisation).

Horticulture

The growing of fruit, vegetables, flowers and nursery plants and farm forestry.

Incineration*

In relation to waste or other matter, incineration is deliberate combustion for the purpose of its thermal destruction; and 'to incinerate' and 'incinerated' have corresponding meanings.

Incinerator

An apparatus for burning materials to ashes.

Indicator

A pollutant for which a guideline level is set and THAT is monitored and compared against that guideline.

Indigenous Vegetation

Flora occurring naturally in New Zealand or belonging naturally to New Zealand, including manuka and kanuka. Indigenous vegetation does not include flora that has been introduced by people and only exists in New Zealand because people introduced it.

Industrial or Trade Premises*

Industrial or trade premises are:

- a) Any premises used for any industrial or trade purposes;
- b) Any premises used for the storage, transfer, treatment or disposal of waste materials or for other waste management purposes or used for the composting of organic materials; or
- c) Any other premises from which a contaminant is discharged in connection with any industrial or trade process;

but does not include any production land.

Industrial or Trade Process*

Includes every part of a process from the receipt of raw material to the dispatch or use in another process to disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter or product.

Intensive Farming

Means farming that is not dependent on the fertility of the soils on that it is located and that may be mainly under cover, and that may depend on the importation of energy or materials on to the site to sustain its viability e.g. pig, poultry, rabbit, opossum, fish or mushroom farming. This definition does not include the keeping of animals or any of the above activities on a domestic scale as an accessory activity.

Intrinsic Values*

In relation to ecosystems, intrinsic values are those aspects of ecosystems and their constituent parts that have value in their own right, including:

- a) Their biological and genetic diversity; and
- b) The essential characteristics that determine an ecosystem's integrity, form, functioning and resilience.

Inversion (Temperature Inversion, Thermal Inversion)

Occurs when weather conditions trap a layer of dense, cool air beneath a layer of less dense warm air in an urban basin or valley. The "lid" of warm air prevents upward-flowing air currents from developing and dispersing pollutants.

Iwi

Tribe or grouping of people.

Iwi Authority*

The authority that represents an iwi and that is recognised by that iwi as having authority to do so.

Kaitiaki

Guardian a steward the meaning of kaitiaki in practical application may vary between different hapu and iwi.

Kaitiakitanga

The exercise of guardianship and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself.

Landfill

Any premises used for the lawful deposit or disposal of waste materials into or onto land.

Landfill Gas

Gas generated as a result of the decomposition processes in decaying wastes deposited at a landfill. It comprises mainly methane and carbon dioxide, but includes a range of other components.

Local Authority

A regional council or territorial authority.

Marae

The spiritual, social, political and economic gathering place of iwi, hapu or whanau.

Meteorology

The study of the motions and phenomena of the atmosphere, particularly for weather forecasting.

Method of Implementation

Means a specific action, procedure, programme or technique adopted to carry out a policy.

Mitigate

To alleviate, reduce or moderate the severity of something.

Mobile Source

A source that is included within the meaning of “moveable source” as used in section 15(2) of the Act, including mobile transport sources and other mobile sources such as asphalt plants, metal screening plants, abrasive blasting and spray painting.

Mobile Transport Sources

Emissions from transport that is self propelled by an internal or external combustion engine (e.g. cars, trucks, buses, trains, aircraft), but not including sources of emissions such as mobile generators, etc.

National Policy Statement

A statement of national policies on matters of national significance relating to achieving the purposes of the Resource Management Act.

Natural and Physical Resources

Includes land, water, air, soil, minerals, energy all forms of plants and animals (whether native to New Zealand or introduced) and all structures.

Non-Complying Activity*

Means an activity (not being a prohibited activity) that:

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

Non-Point (Diffuse) Source Discharge

Diffuse discharges of contaminants to air, water and land that may not be attributable to an individual site or activity.

Notification

Public notification of any policy statement or plan and changes thereto or resource consents.

Objective

A measurable aim or end result to which efforts are directed.

Odour Threshold

The minimum magnitude of odour stimulus that can be reliably discriminated from there being no odour present.

Odour Unit - (OU)

The relative odour intensity of an air sample, measured by the ratio of (volume of sample diluted to absolute odour threshold)/(volume of original undiluted sample). 10U is a sample of air that contains the odour at the absolute detection threshold.

Olfactometry

A technique for assessing odours using a trained panel and successive dilutions of an odour sample.

Opacity

The degree to which the discharge is opaque, not transparent and impenetrable to sight.

Open Burning

The burning of materials in the open not in an enclosure or incinerator.

Particulate

Dust, smoke and grit in solid or liquid form in the atmosphere.

Permitted Activity*

An activity that is allowed by a plan without a resource consent if it complies in all respects with any conditions (including any conditions in relation to any matter described in section 108 or section 220 of the Act) specified in the Plan.

Place of Assembly

Land or buildings that are used in whole or part for the public and private assembly of persons for such purposes as deliberation, entertainment, education, recreation or similar purposes.

PM10

Particle matter less than 10 microns in size (inhalable/suspended particulate)

Point Source Discharge

A discharge from a specific and identifiable outlet onto or into land, air, a water body or the sea.

Policy

A statement of attitude on a particular topic or a statement to guide subsequent decisions that are to be made, such as resource consents or the development of subsequent planning documents.

Pollutant

Same as contaminant.

Pollution

Any direct or indirect alteration of the physical, thermal, biological or radioactive properties of any part of the environment by discharging, emitting or depositing wastes or substances so as to affect any beneficial use adversely, to cause a condition that is hazardous or potentially hazardous to public health, safety or welfare, or to animals, birds, wildlife, fish or aquatic life or to plants.

Production Land*

- a) Means any land and auxiliary building used for the production (but not processing) of primary products (including agriculture, pastoral, horticulture and forestry products);
- b) Does not include land or auxiliary buildings used or associated with prospecting, exploration or mining for minerals.

Any “production” has a corresponding meaning.

Prohibited Activity*

An activity that a plan expressly prohibits and describes as an activity for which no resource consent shall be granted; and includes any activity prohibited by section 105 (2) (b) of the Historic Places Act 1993.

Public Land

Means land that specifically provides for public access and can include public roads, parks, reserves and wildlife areas, public gardens, golf courses, bowling greens, playing fields and public walkways. Public land does not include land administered under Crown Forestry Licences.

Qualification

A document certifying in writing that the holder has completed a course of training, and/or achieved a level of competency, on a subject described in the certificate issued by a responsible person or organisation who:

- a) Is independent from the certificate holder;
- b) Is experienced and knowledgeable in the subject matter;
- c) Uses methods that effectively assess the competency of the holder in the subject matter.

In relation to Rule 14.2 the certifying person or organisation will be required to demonstrate that the above criteria are met in regard to Appendix 3.

Region

In relation to a regional council the area of the regional council as determined in accordance with the Local Government Act 1974.

Regional Coastal Plan*

Means an operative plan approved by the Minister of Conservation under the First Schedule and includes all operative changes to such a plan (whether arising from a review or otherwise)

Regional Council

Has the same meaning as in the Local Government Act 1974. In the Gisborne District the Gisborne District Council performs both regional council and territorial authority functions.

Regional Land Transport Strategy

A document prepared by a regional council under the Transit NZ Amendment Act 1992.

It must not be inconsistent with the provisions of the relevant regional policy statement or any plan under the Resource Management Act 1991.

Regional Policy Statement*

Means a regional policy statement prepared by a regional council under the First Schedule of the Act, and includes all operative changes to such a policy statement (whether arising from a review or otherwise).

Regional Rule

A rule made as part of a regional plan in accordance with section 68 of the Act.

Resource Consent

A consent to do something that is not otherwise permitted by a Plan or the Act.

River*

A continually or intermittently flowing body of fresh water including a stream and modified water course but not including any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation and farm drainage canal).

River, Permanently Flowing

Means a river flowing between March and December inclusive.

Runanga

Tribal representative and administrative body.

Sensitive Area

Receiving environments in the Gisborne district that are more sensitive to the discharge of contaminants to air than others. These have been identified as being:

- a) Residences and places of public and private assembly (including amenity areas) where the discharge may result in a reduction in amenity values or adversely affect human health;
- b) Public roads and airports where the discharge may result in a reduction in visibility or otherwise jeopardise the safe and efficient use of this infrastructure;
- c) Domestic and community water supplies where the discharge may result in adverse affects on human health;

- d) Wetlands, lakes and rivers and their margins where the discharge may result in a reduction of the life supporting capacity of water or cause damage to aquatic ecosystems or a loss of natural character;
- e) Sensitive crops or farming systems where the discharge may result in damage to crops or animals or jeopardise the ability for people to provide for their economic wellbeing;
- f) Significant indigenous vegetation and significant habitats of indigenous fauna as defined in Chapter 4 of the Proposed Gisborne District Combined Regional Land and District Plan, Urban and Rural Maps and Appendices: post-decisions annotated version July 2000, including areas containing threatened species where the discharge may result in damage to these indigenous species or habitats;
- g) The coastal environment, in particular within 200m landward of Mean High Water Springs where the discharge may result in a loss of natural character;
- h) Sites of special significance to Tangata Whenua, as identified in the Part Operative isborne District Combined Regional Land and District Plan.

Smoke

Any product of combustion, complete or incomplete, other than water vapour, which is or could be visible in daylight or artificial light.

Solid Waste

The combination of domestic, industrial and commercial waste including non-hazardous special wastes also know as community waste. See Waste.

Soil Conservation

The protection of the life supporting capacity and productivity of the soil. It is the avoidance of the loss of soil due to erosion and the loss of fertility due to human controlled activities and contamination.

Submission

A written submission and, in relation to the preparation or change of a policy statement or plan, includes any submission made under Clause 8 of the First Schedule in support of or in opposition to an original submission.

Sustainable Management*

Managing the use, development and protection of natural and physical resources in a way, or at a rate, that enables people and communities to provide for their social economic and cultural well-being and for their health and safety while:

- a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations;
- b) Safeguarding the life-supporting capacity of air, water, soil and ecosystems; and
- c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.

Synergistic

Combined effects of contaminants. Individual contaminant discharges may be well below guideline levels, but when discharged together may have adverse environmental effects.

Tangata Whenua*

In relation to a particular area, the iwi or hapu that holds mana whenua over that area.

Taonga

Treasure or property. Taonga are prized and protected as sacred possessions of the tribe. The term carries a deep spiritual meaning and taonga may be things that cannot be seen or touched. Included for example are Te Reo Maori (the Maori language), waahi tapu, waterways, fishing grounds and mountains.

Territorial Authority

Any district or city council as defined by the Local Government Act 1974.

Waste

Any contaminant, whether liquid, solid, gaseous or radioactive that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an adverse effect on the environment and that includes all unwanted and economically unusable by-products at any given place and time, and any other matter that may be discharged, accidentally or otherwise, to the environment.

Note that all wastes are contaminants but that not all contaminants are wastes. Note the definition of "contaminant".

Water*

Water in all its physical forms whether flowing or not and whether over or under the ground. This includes fresh water, coastal water and geothermal water, and does not include water in any form while in any pipe, tank or cistern.

Water Body*

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.