

## **GLOSSARY OF TERMS**

**Accelerated erosion** means intensification of the rate of erosion of the land surface by human activity.

**Access strip\*** means a strip of land created by the registration of an easement in accordance with Section 237B for the purpose of allowing public access to or along any river, or lake, or the coast, or to any esplanade reserve, esplanade strip, other reserve, or land owned by the local authority or by the Crown (but excluding all land held for a public work except land held, administered, or managed under the Conservation Act 1987 and the Acts named in the First Schedule of the Act).

**Agrichemicals** means those chemicals used by the agricultural sector including herbicides, pesticides, fungicides, fertilisers and animal health products.

**Air** means the mixture of gases enveloping the earth and forming the atmosphere.

**Alternatives** means in relation to objectives, policies and methods of implementation, the principal alternative means available to achieve the purpose of the Act.

**As appropriate, as may be appropriate, where appropriate,** means that which is or may be appropriate as determined or resolved by the Gisborne District Council or relevant territorial authority or their officers acting under delegated authority under Section 32 of the Act.

**Amenity values\*** means those natural or physical qualities and characteristics of an area that contribute to people's appreciation of its pleasantness, aesthetic coherence, and cultural and recreational attributes.

**Bed\* means -**

(a) in relation to any river -

- i. 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;
- ii. In all other cases, the space of land which the waters of the river cover at its fullest flow without overtopping its banks;

(b) in relation to any lake, except a lake controlled by artificial means -

- i. 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;
- ii. in all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin;

(c) 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

(d) in relation to the sea, the submarine areas covered by the internal waters and the territorial sea.

**Benefits and costs\*** includes benefits and costs of any kind, whether monetary or non-monetary.

**Best practical option\*** 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

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

**Biodiversity** means the variability among living organisms from all sources including inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are a part; this includes diversity within species, between species and of ecosystems.

**Coastal marine area\*** means the foreshore, seabed and coastal water and the air space above the water -

- I. of which the seaward boundary is the outer limits of the territorial sea;
- II. of which the landward boundary is the line of mean high water springs, except that where the line crosses a river, the landward boundary at that point shall be whichever is the lesser of -
  - A. one kilometre upstream from the mouth of the river, or
  - B. the point upstream that is calculated by multiplying the width of the river mouth by five.

**Co-disposal** means the landfill disposal of appropriate hazardous waste substances by mixing them, in an informed and predetermined manner, with municipal refuse, so as to use the attenuation and biochemical processes operating within the landfill, to reduce the environmental effects to an insignificant level.

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

- 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.

**Contaminated site** means a site at which hazardous substances occur at concentrations above background levels and where assessment indicates it poses or is likely to pose an immediate or long term hazard to human health or the environment.

**Defence Purposes** are those in accordance with the Defence Act 1990.

**Discharge\*** includes omit, deposit and allow to escape.

**District plan\*** means an operative plan approved by a territorial authority under the First Schedule to the Act, and includes all operative changes to such a plan (whether arising from a review or otherwise).

**District rule\*** means a rule made as part of a district plan in accordance with Section 76 of the Act.

**Ecosystem<sup>2</sup>** means a dynamic complex of plant, animal and micro-organism communities and their non-living environment interacting as a functional unit. Includes people and communities.

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**Effect\*** ... unless the context (of the Act) otherwise requires, the term 'effect' includes -

- a) any positive or adverse effect; and
- b) any temporary or permanent effect; and
- c) any past, present, or future effect; and
- d) any cumulative effect which 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 which has a high potential impact.

**Energy** is the capacity of a body to do work.

**Energy efficiency** shall be defined with the assistance of information held by the Energy Efficiency and Conservation Authority.

**Environment\*** includes -

- a) ecosystems and their constituent parts, including people and communities; and
- b) all natural and physical resources; and
- c) amenity values; and
- d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in (a) to (c) of this definition or which are affected by those matters.

**Environmental results anticipated** means 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.

**Erosion** means the natural (geological) processes of the wearing away of the land surface (including soil, regolith or bedrock) by natural agents and the transport of the derived material. Erosion includes sheet, wind, creep, slump, flow, rill, gully, tunnel gully and stream erosion.

Terms such as "normal" and "accelerated" erosion are in common use. Identification of erosion type depends on very long term records of climate and landform change. Without these it is not possible to say confidently what is a "normal" rate and once the frequency of landform changing events is greater than about a hundred years (e.g. Bora) the effect of climatic change has to be considered. It is probable that "normal" rates of erosion are inherently variable and that periods of faster "accelerated" erosion are part of the common sequence of events. Accelerated erosion means intensification of the role of erosion of the land surface by human activity.

**Esplanade reserve\*** means a reserve within the meaning of the Reserves Act 1977 which is either -

- a) a local purpose reserve within the meaning of Section 23 of that Act, if vested in the territorial authority under Section 239; or
- b) 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.

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**Esplanade strip\*** 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.

**Explanation** means an explanation of the policy or policies and the reasons for adopting the objectives, policies and methods of implementation to which the explanation relates. The 'explanation' sections of Part Two of the Regional Policy Statement are intended to facilitate understanding of the objectives, policies and methods and should not be used as a mechanism to extend or distort the meaning and intent of the objectives, policies and methods.

**Foreshore\*** means any land covered and uncovered by the flow and ebb of the tide at mean spring tides and, in relation to any such land that forms part of the bed of a river, does not include any area that is not part of the coastal marine area.

**Fresh water\*** means all water, except coastal water and geothermal water.

**Habitat<sup>3</sup>** means the place or type of site where an organism or population naturally occurs.

**Hapu<sup>4</sup>** means sub-tribe, usually a number of whanau with a common ancestor.

**Hazardous substance\*** means any substance which may impair human, plant, or animal health or may adversely affect the health or safety of any person or the environment, and whether or not contained in or forming part of any other substance or thin; and

a) includes substances prescribed by regulations as not being hazardous substances. ... (This is the definition provide by Section 344 of the Act. The part of the Act containing this definition has yet to come into force.)

The Ministry for the Environment has proposed the following definition:<sup>5</sup>

'any substance with one or more of the following intrinsic properties: an explosive nature; flammability; an oxidizing nature; acute or immediate toxicity (including ecotoxicity); delayed or chronic toxicity (including carcinogenicity, mutagenicity, teratogenicity or ecotoxic effects); radio activity; corrosivity; environmental persistence; any substances emitting or braking down to a substance with any of the above properties upon entering the environment; and any substance or group of substances prescribed as hazardous by regulation.'

**Indigenous forest land** means land where there is an actual or emerging predominance of maturing indigenous tree species and associations characteristic of indigenous forest or emerging indigenous forest.

**Indigenous species** means flora or fauna (usually) produced naturally in New Zealand; or belonging naturally to New Zealand. Indigenous does not include fauna or flora that has been introduced by man, and only exists in New Zealand because it was introduced by man.

**Instream values** are those uses or values of rivers and streams that are derived from within the river system itself and include amenity values, cultural and spiritual values of tangata whenua, and values associated with freshwater ecology and recreational, scenic, aesthetic and educational uses.

**Integrated management** - see section .... of this Statement.

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**Intrinsic values\*** in relation to ecosystems, means those aspects of ecosystems and their constituent parts which 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.

**Issue** means a matter of interest or concern to the Region's community regarding activities affecting some aspect of natural or physical resources in the region; or

A matter to be addressed in the Regional Policy Statement under this Act.

**Iwi** means tribe or grouping of people.

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

**Kaiawa** means food taken from rivers and streams.

**Kainga** means settlement, home or place of residence.

**Kaitiakitanga\*** means the exercise of custodianship under mana whenua, and in relation to a resource, includes the ethic of guardianship and stewardship based on the nature of the resource itself. (For further discussion of kaitiakitanga and kaitaki, refer to Section ... of Part Two of this Regional Policy Statement).

**Kaimoana** means seafood.

**Kaumatua housing** refers to housing for Maori elders.

**Kawanatanga<sup>6</sup>** means governorship, government.

**Lake\*** means a body of freshwater which is entirely or nearly surrounded by land.

**Land\*** includes land covered by water and the air space above land.

**Land Transport Strategy** means a Land Transport Strategy prepared under Section 23 of the Transit New Zealand Act 1989 to:

- *identify the future land transport needs of the Region;*
- *identify the most desirable means of responding to such needs in a safe and cost effective manner having regard to the effect the transport system is likely to have on the environment;*
- *identify an appropriate role for each land transport mode in the Region including freight traffic, public passenger transport, cycling and pedestrian traffic; and*
- *state the best means of achieving its objective.*

**Local authority\*** means a regional council or territorial authority.

**Maataitai\*** means food resources from the sea and **Mahinga maataitai** means the areas from which these resources are gathered.

**Mahinga kai** means areas from which food resources are gathered and/or propagated.

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**Mana whenua** means customary authority and the title exercised by an iwi or hapu over land and other taonga within the tribal roho.

**Mauri/Mouri** means essential life force or principle, a metaphysical quality inherent in all things, both animate and inanimate.

**Method of implementation** means a specific action, procedure, programme or technique adopted to carry out a policy.

**Mineral**<sup>7</sup> means a naturally occurring inorganic substance beneath or at the surface of the earth, whether or not under water; and includes all metallic minerals, non-metallic minerals, fuel minerals, precious stones, industrial rocks and building stones and a prescribed substance within the meaning of the Atomic Energy Act 1945.

**Mouth** for the purpose of defining the landward boundary of the coastal marine area, means the mouth of a river either -

- a) as agreed and set between the Minister of Conservation, the regional council, and the appropriate territorial authority in the period between consultation on, and notification of, the proposed regional coastal plan; or
- b) as declared by the Planning Tribunal under Section 310 upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative ...

**National policy statement**\* means a statement issued under Section 52 of the Act.

**Natural and physical resources**\* includes land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.

**Natural hazard**\* means any atmospheric or earth or water related occurrence (including earthquake, tsunami, erosion, volcanic and geothermal activity, landslip, subsidence, sedimentation, wind, drought, fire or flooding) the action of which adversely affects or may adversely affect human life, property or other aspects of the environment.

**New Zealand Coastal Policy Statement**\* means a statement issued under Section 57 of the Act.

**Noise**\* includes vibration.

**Objective** means a statement of a desired outcome.

**Policy** means a statement which guides or directs decision-making. A policy indicates a commitment to a general course of action in working towards an objective.

**Plan**\* means a regional plan or district plan.

**Reasonable** means that which is reasonable as determined or resolved by the Gisborne District Council or its officers acting under delegated authority under Section 34 of the Act.

**Region**\* means in relation to a regional council, the region of the regional council as determined in accordance with the Local Government Act 1974.

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**Regional coastal plan\*** means an operative plan approved by the Minister of Conservation under the First Schedule of the Act, 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.

**Regional plan\*** means an operative plan (including a regional coastal plan) approved by a regional council or the Minister of Conservation under the First Schedule of the Act; and includes all operative changes to such a plan (whether arising from a review or otherwise).

**Regional policy statement\*** means an operative regional policy statement approved 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\*** means a rule made as part of a regional plan in accordance with Section 68 of the Act.

**Regional significance** - see section ... of this Statement

**Riparian management** means the collection of activities and practices that can be applied to the riparian margin in order to improve the natural characteristics and functioning of the whole riparian zone (which includes the waterway itself as well as the riparian margins).

**Riparian margin** means a strip of land adjacent to a waterway which is frequently moist, and which generally extends from the perceived change in contour of the flood plain to the waterway itself.

**River\*** means a continually or intermittently flowing body of fresh water; and includes a stream and modified watercourse; but does not include any artificial watercourse (including an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal).

**Rohe<sup>8</sup>** means a territory or boundary which defines the area which a tangata whenua group claims traditional association and mana whenua.

**Rule\*** means a district rule or regional rule.

**Self Regulation** means voluntary acceptance by resource users of defined management practices and operational standards, which include duties and obligations by all those undertaking prescribed activities.

**Solid waste** means primarily solid contaminants for which disposal by discharge into the environment is intended, or for which disposal by discharge into the environment would be necessary if other processes such as reuse or recovery cannot be applied.

**Solid waste management** means all means for addressing issues relating to the creation, minimisation, recycling, treatment, disposal or containment of solid waste.

**Structure\*** means any building, equipment, device, or other facility made by people and which is fixed to land and includes any raft.

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**Soil**<sup>9</sup> means loosely, the earth or ground but specifically the loose material of the earth's surface in which terrestrial plants grow, usually formed from weathered rock or regolith changed by chemical, physical and biological processes and ... may be considered as an entity quite apart from the rocks below it.

**Soil Conservation** means the management of land to maintain New Zealand's soil and water resources to provide the widest range of sustainable benefits for the needs and aspirations of present and future generations, and includes:

- a) the maintenance of the productive potential of the nation's soil resources to retain sustainable land use options for present and future generations;
- b) the maintenance of catchments to provide high quality water resources for downstream users;
- c) land management practices that further enhance the protection of waterways from suspended sediments, nutrients, harmful micro-organisms and other pollutants;
- d) the mitigation of the impacts of land related hazards including flooding, subsidence and erosion;
- e) the maintenance of aesthetic and scientific values related to land and water.

**Soil erosion**<sup>11</sup> means the removal of soil by erosion [see definition of erosion].

**Taiao** means the natural world or environment.

**Tai\_pure** means a tai\_pure-local fishery declared under the Maori Fisheries Act 1989, Part IIIA.

**Tangata whenua**\* in relation to a particular area, means the iwi, or hapu, that holds mana whenua over the area.

**Taonga**<sup>12</sup> means treasure, 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.

**Tapu** means under spiritual protection or restriction.

**Taranaki tangata** refers to the tangata whenua of the Taranaki Region.

**Territorial authority**<sup>13</sup> a city council or a district council.

**Territorial sea**\* means the territorial sea of New Zealand as defined by Section 3 of the Territorial Sea and Exclusive Economic Zone Act 1977.

**Tikanga Maori**\* means Maori customary values and practices.

**Tino rangatiratanga**<sup>14</sup> means chiefly authority, chieftainship, full tribal authority and ... refers to tribal self-management - to manage and control in accordance with the preferences of the owner.

**Treaty of Waitangi (Te Tiriti o Waitangi)**\* has the same meaning as the word 'Treaty' as defined in Section 2 of the Treaty of Waitangi Act 1975 (refer to Appendix 1 of this Regional Policy Statement for both English and Maori versions of the Treaty as contained in the Treaty of Waitangi Act 1975).

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**Waahi tapu** means places or things which are sacred or spiritually endowed (for further discussion of waahi tapu, refer to Section 4.4.4 of Part Two of this Regional Policy Statement).

Water\*

- a) means water in all its physical forms whether flowing or not and whether over or under the ground;
- b) includes fresh water, coastal water, and geothermal water, and
- c) 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.

**Wetland\*** 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.

<sup>1</sup> All terms marked with an \* are as defined in the Resource Management Act 1991. Other terms reflect the Gisborne District Council's understanding and use of the term and have been so defined for the purposes of this Statement.

<sup>5</sup> United National Convention on Biological Diversity, (1992).

<sup>4</sup> Ministry for the Environment (1991): Consultation with tangata whenua Ministry for the Environment, Wellington.

<sup>5</sup> Ministry for the Environment (1992): *Hazardous substances and new organisms: a proposal for law reform.*

<sup>6</sup> *Parliamentary Commissioner for the Environment (1992): Proposed Guidelines for local authority consultation with tangata whenua.* Parliamentary Commissioner for the Environment, Wellington.

<sup>7</sup> Section 2(1) of the Crown Minerals Act.

<sup>8</sup> *Parliamentary Commissioner for the Environment, (1991), op.cit.*

<sup>9</sup> Clarke, A N (1990) Dictionary of Geography. Penguin Group, London.

<sup>10</sup> National Water and Soil Conservation Authority, *Soil Conservation Policy Circular No 1987/13.*

<sup>11</sup> Clarke, A N, (1990), *op.cit.*

<sup>12</sup> *Parliamentary Commissioner for the Environment, (1991), op.cit.*

<sup>13</sup> *Local Government Act 1974, section 2(1).*

<sup>14</sup> *Parliamentary Commissioner for the Environment, (1991), op.cit.*