

9 GLOSSARY

In this Plan, the following terms have the meaning as described. Terms shown with an asterisk (*) have the meaning provided in the Interpretation section (s 2) of the Resource Management Act 1991.

9.1 **Abrasive blasting**

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

- Dry abrasive blasting means abrasive blasting using materials to which no water has been added.
- Wet abrasive blasting means abrasive blasting to which water has been added.

9.2 **Accelerated erosion**

Intensification of the natural rate of erosion of the land surface (including soil, regolith and bedrock), induced by human activity.

9.3 **Accretion**

The gradual build-up of deposited material (sediment, gravel etc).

9.4 **Act**

The Resource Management Act 1991 including any amendments thereto.

9.4A **Advanced primary treatment**

in relation to the treatment of wastewater, means primary treatment with the addition of an effluent outlet solids control device (outlet filter).

9.5 **Aerial discharge**

The discharge of a substance from an aircraft.

9.6 **Aerosol**

A system of particles consisting of water containing contaminants which may be carried in the atmosphere by the movement of air, with the aerodynamic diameter of the particles ranging from 0.05 to 50 microns.

9.7 **After reasonable mixing**

(a) In relation to flowing surface water bodies, for the purposes of rules in this Plan, means the mixing of contaminants in surface water at whichever of the following is the least:

- (i) a distance 200 metres downstream of the point of discharge, or
- (ii) a distance equal to seven times the bed width of the surface water body, but which shall not be less than 50 metres, or
- (iii) the distance downstream at which mixing of contaminants has occurred across the full width of the surface water body, but which shall not be less than 50 metres.

(b) In relation to lakes, for the purposes of rules in this Plan, means the mixing of contaminants in lake water at a distance 15 metres from the point of discharge.

(c) In relation to groundwater bodies, for the purposes of rules in this Plan, means the mixing of contaminants in groundwater at whichever of the following is the least:

- (i) a distance 100 metres from the point of discharge, or
- (ii) the boundary of the subject property.

Alternatively, for activities that are subject to resource consents, "reasonable mixing" may be determined on a case by case basis through the resource consent process.

9.8 **Agrichemical**

Any substance, whether inorganic or organic, man-made or naturally occurring, modified or in its original state, that is used to eradicate, modify or control flora and fauna, excluding fertiliser and pheromones.

9.9 **Agrichemical spray drift**

The airborne movement of agrichemicals, as droplets, vapour or solid particles, onto a non-target area.

9.9A **Airshed**

means

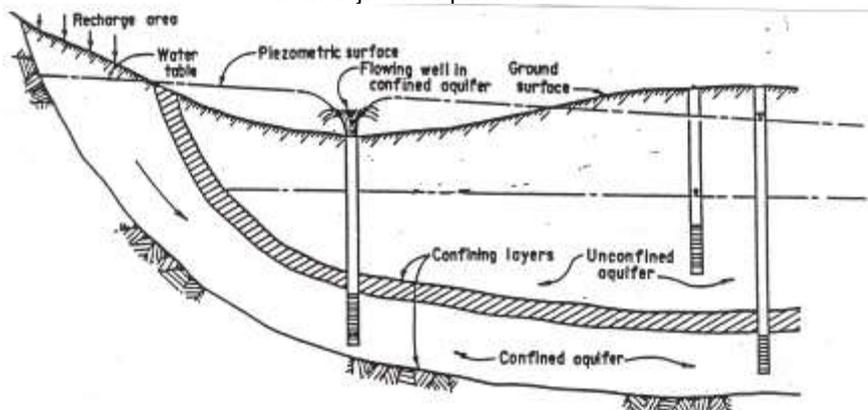
- a) the region of a regional council excluding any area specified in a notice under (b)
- b) a part of the region of a regional council specified by the Minister for the Environment by a notice in the Gazette to be a separate airshed.

Maps of airsheds gazetted under (b) are incorporated by reference in Schedule XIII.

- 9.10 **Allocatable volume**
The volume of water flow available for out-of-stream use e.g. irrigation. It is the volume of the total river flow available over a set period (e.g. the average daily flow or average seven day flow) that may be abstracted from a river or stream without causing the minimum flow to occur so often as to cause a continuing change in the nature of the aquatic ecosystem.
- 9.11 **Ambient air quality**
The air quality beyond the boundary of the subject property and beyond any area of local air quality.
- 9.12 **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.
- 9.13 **Animal effluent**
Animal excreta (excluding human waste) that is collected and managed by people, including associated process water, contaminants, and sludges.
- 9.14 **Animal remedy**
Any drug, medicine, remedy or therapeutic preparation, or any biochemical substances for:
(a) curing, diagnosing, treating, controlling or preventing any disease in animals, or
(b) destroying or preventing parasites on or in animals, or
(c) maintaining or improving the health, condition, productivity or appearance of any animals, or
(d) capturing or immobilising any animal.
- 9.15 **Aquifer**
A saturated permeable geologic unit that can transmit significant quantities of water at a rate which is useful for water supply under ordinary hydraulic gradients.

Related terms include:

Unconfined Aquifer	An aquifer which has its upper boundary at the Earth's surface.
Confined Aquifer	An aquifer which is confined between aquitards and therefore contains water under pressure.
Aquitard	A geologic formation through which virtually no water moves.
Aquiclude	A saturated but poorly permeable formation that may transmit water to or from adjacent aquifers.



Note: This diagram is explanatory only, not representative of any particular aquifer

- 9.16 **Archaeological site**
Any place in New Zealand that
(a) Either
(a) was associated with human activity that occurred before 1900, or
(i) is the site of the wreck of any vessel where that wreck occurred before 1900; and
(b) is or may be able through investigation by archaeological methods to provide evidence relating to the history of New Zealand.
- 9.17 **Artificial watercourse**
Includes an irrigation canal, water supply race, canal for the supply of water for electricity power generation, and farm drainage canal [see definition of 'river' under the RMA].

- 9.17A **AS/NZS 1547**
means the Australian/New Zealand Standard for On-site domestic wastewater management, published 24 February 2012 and referred to as AS/NZS 1547:2012.
- 9.18 **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 surfacing application.
- 9.19 **Atua**
The celestial deities born to Ranginui and Papatuanuku.
- 9.20 **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, and
(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, and
(ii) In all other cases, the space of land which the waters of the lake cover at its highest level without exceeding its margin, and
(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.
- 9.21 **Bed form**
The topography or shape of the bed of a lake or river.
- 9.22 **Benefits and costs ***
Includes benefits and costs of any kind, whether monetary or non-monetary.
- 9.23 **Berm**
That area of land located adjacent to the river bed that is periodically covered by flood waters that overtop the banks of the river.
- 9.24 **Best irrigation management practice**
The optimum application of irrigation water to a crop in a manner that takes into account
 - appropriate scheduling
 - rate of application
 - crop type
 - soil and site characteristics, and
 - application method
to avoid wastage of water.
- 9.25 **Best practicable 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:
(a) The nature of the discharge or emission and the sensitivity of the receiving environment to adverse effects, and
(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.
- 9.26 **Biochemical oxygen demand (BOD)**
A measure of the amount of oxygen consumed during the decomposition of organic matter in water.
- 9.27 **Biodiversity**
The variability among indigenous 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.

- 9.28 **Biosolids**
Processed sludges from industrial activities (excluding human waste and agricultural effluents) that are suitable for reuse as soil conditioners or fertiliser substitutes.
- 9.29 **Biota**
All living components of the environment, excluding humans.
- 9.30 **Blackwater**
Wastes discharged from the human body either direct to a vault toilet or through a water closet (flush toilet) and/or urinal.
- 9.31 **Bore**
Any pipe, cylinder or hole inserted into the ground that either:
(i) is created for the purpose of accessing underground water, oil or gas, or
(ii) penetrates a confined aquifer, or
(iii) in any way causes the release of water from a confined aquifer, or
(iv) is created for the purpose of exploring water, oil or gas resources but excludes piezometers installed for monitoring purposes.
- 9.32 **Buffer zone**
The distance between the boundary of an activity and an identified sensitive area.
- 9.33 **Bund**
In relation to stored contaminants, means a constructed embankment or low wall designed to contain accidental spillage of a stored liquid.
- 9.33A **Business Activities**
means any commercial or industrial activity.
- 9.34 **Catchment**
The total area from which a single water body collects surface and subsurface runoff.
- 9.34A **Catchment area**
For the purpose of this Plan, means a grouping of surface water catchments and groundwater catchments. Indicative location of each Catchment Area is set out in Appendix A to Chapter 3.1A.
- 9.35 **Catchment management plan**
For the purpose of this Plan a catchment management plan refers to a plan prepared for a catchment or catchments to show how that system will be managed for stormwater runoff.
- 9.36 **Chimney**
Any structure designed for venting the airborne products of combustion upwards and above the ceiling height of the topmost floor of the building to which it is associated.
- 9.37 **Cleanfill**
Natural materials such as clay, soil, rock and such other materials as concrete, brick, old asphalt or demolition products that are free of:
(a) Combustible or putrescible components apart from up to 10% by volume untreated timber in each load.
(b) Hazardous substances or materials (such as municipal waste) likely to create leachate by means of biological or chemical breakdown.
(c) Any products or materials derived from hazardous waste treatment, stabilisation or disposal processes.
- 9.37A **Coastal environment**
means an environment in which the coast is a significant element or part, and includes:
(a) the coastal marine area;
(b) any areas identified as being affected by, or potentially affected by, coastal flooding or coastal erosion;
(c) any of the following:
(i) tidal waters and the land above mean high water springs;
(ii) dunes;
(iii) beaches;
(iv) areas of coastal vegetation and coastal associated fauna;
(v) coastal cliffs
(vi) salt marshes;
(vii) coastal wetlands, including estuaries; and

- (viii) areas where activities occur or may occur which have a direct physical connection with, or impact on, the coast.

For the purposes of this Plan, the coastal environment comprises all of the coastal marine area of Hawke's Bay and the coastal margin. The inland boundary of the coastal margin and coastal environment is as shown on the planning maps in Volume 2 of the Hawke's Bay Regional Coastal Environment Plan.¹

9.37B **Coastal margin**

means an area of the coastal environment identified for the purposes of the Hawke's Bay Regional Coastal Environment Plan to manage activities and the effects of activities occurring within the coastal environment. It does not include any part of the coastal marine area.

9.38 **Coastal marine area ***

Means the foreshore, seabed, and coastal water, and the air space above the water:

- (a) Of which the seaward boundary is the outer limits of the territorial sea.
- (b) 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:
 - (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.

9.39 **Coastal water ***

Means seawater within the outer limits of the territorial sea and includes:

- (a) Seawater with a substantial fresh water component, and
- (b) Seawater in estuaries, fiords, inlets, harbours, or embayments.

9.40 **Commercial User**

For the purpose of provisions relating to the application of agrichemicals, means any person, group or organisation using agrichemicals in the course of their business activities. It includes any council or local authority managing the use of agrichemicals in public places and amenity areas, roadside, waterways and on noxious weeds.

9.41A **Community Irrigation Scheme**

A water supply system that is capable of providing irrigation water to multiple production land properties and other ancillary uses.

9.41 **Composting**

The biological reduction of organic waste to a relatively stable product.

9.42 **Conditions**

In relation to plans and resource consents, includes terms, standards, restrictions, and prohibitions.

9.43 **Confined aquifer**

See 'Aquifer'.

9.44 **Consent authority**

The Minister of Conservation, a regional council, a territorial authority, or a 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 Resource Management Act 1991.

9.45 **Constructed wetland**

See 'Wetland'.

9.46 **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

¹ NOTE: The term 'Coastal Environment' is not defined in the RMA but is used in s6 of the Act and in the New Zealand Coastal Policy Statement. It was defined under the now repealed Town and Country Planning Act 1977 as an environment in which the coast is a significant part or element. The Environment Court has held that the coastal environment is usually accepted as extending to the crest of the nearest skyline. In some cases, the coastal environment for the purposes of s6 and/or the New Zealand Coastal Policy Statement may extend inland of the coastal environment as shown on the Regional Coastal Environment Plan's planning maps. However, the provisions of this Plan only apply landward of the inland coastal environment boundary shown on those planning maps.

- (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.

9.46B **Contaminated Land**

Means land that has a hazardous substance in or on it that –

- (a) Has significant adverse effects on the environment; or
(b) Is reasonably likely to have significant adverse effects on the environment.

9.47 **Contaminated site**

A site at which hazardous substances or organic waste 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 of the environment. Background levels refer to ambient levels of a contaminant in the local area of the site under consideration.

9.48 **Contractor**

Any person or organisation who by agreement with the owner, occupier or manager of any land, undertakes activities for hire or reward. It does not include an employee, owner, occupier or manager.

9.49 **Controlled activity ***

Means an activity which:

- (a) is provided for, as a controlled activity, by a rule in a plan or proposed plan; and
(b) complies with the standards and terms specified in a plan or proposed plan for such activities; and
(c) is assessed according to matters over which 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.

9.50 **Contravene**

Includes fail to comply with.

9.51 **Crop**

Any vegetative crop (including a crop of trees) established by humans.

9.52 **Crossing**

Any bridge, ford or conduit, including pipe or culvert, in, on, or over the bed of any river or lake.

9.53 **Cultivation**

Land tillage and other land disturbance activities for the purposes of establishing and growing a crop, or pasture establishment.

9.53A **Custom designed pellet boiler**

means solid fuel burning equipment that is specifically designed and manufactured as a boiler fuelled by wood pellets and where the pellets and air are mechanically delivered to an enclosed combustion chamber at a controlled rate. This does not include solid fuel burning equipment that has been modified or customised after its manufacture.

9.54 **Dam**

Any structure across the bed of a river or lake or artificial watercourse which impounds water.

9.55 **Dangerous**

See Section 6.1.4 of this Plan.

9.55A **Deep Groundwater**

That groundwater abstracted from wells with a top screen depth of 50m or greater (metres from land surface). In the Lower Tukituki River catchment, below Red Bridge, deep groundwater is that groundwater sourced from wells with a top screen depth of 40m or greater.

9.56 **Deposition**

The deposition of any substance, other than water or water-borne contaminants (discharge), or fill material (reclamation).

9.56A **Diesel**

Means a refined petroleum distillate having a viscosity and distillation range intermediate between those of kerosene and light fuel oil, whether or not it contains additives, intended for use as fuel in internal combustion equipment and external combustion equipment, but excludes re-refined oil and used oil or waste oil. Diesel must

have properties that conform to the limits specified in Schedule 3 of the Petroleum Products Specifications Regulations 1988, when tested by the methods specified in that Schedule.

9.57 **Diffuse source discharge**

A discharge that does not have a particular point of origin or is not introduced into receiving waters from a specific outlet, but arises from a wide or diffuse area.

9.58 **Discernible change**

For the purposes of Rule 6 and Rule 7 “discernible change” means a change in colour of more than five points on the Munsell scale or more than 20% change in clarity as measured by a 200 mm black disc as per “Water Quality Guidelines Number 2” published by the Ministry for the Environment. For example, a change in water colour from blue to blue/green is 10 points on the Munsell Scale.

9.59 **Discharge**

Includes emit, deposit, and allow to escape.

9.60 **Discretionary activity ***

Means an activity:

- (a) which is provided for, as a discretionary activity, by a rule in a plan or proposed plan; and
- (b) which is allowed only if a resource consent is obtained in respect of that activity; and
- (c) which 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.

9.61 **District plan**

An operative plan approved by a territorial authority under the First Schedule of the Act; and includes all operative changes to such a plan (whether arising from a review or otherwise).

9.62 **District rule**

A rule made as part of a district plan or proposed district plan in accordance with section 76 of the Act.

9.63 **Disturbance**

Includes excavation, dredging, drilling and tunnelling.

9.64 **Diversion**

In relation to the diversion of water, means the process of redirecting the flow of water from its existing course to another by modification of its course.

9.65 **Domestic needs**

See “Reasonable domestic needs”.

9.66 **Domestic purposes**

The use of agrichemicals by a person, group or organisation in a private capacity, who do not use agrichemicals in the course of their business activities.

9.67 **Domestic sewage**

See ‘Sewage’.

9.68 **Drainage**

The activity of lowering the water table to achieve productive land use to facilitate the stability of land or structures, or to achieve some other resource use activity. This generally involves the diversion of water.

9.69 **Drainage water**

The water that drains from a drainage system as defined in Section 9.68.

9.70 **Dry abrasive blasting**

See “Abrasive blasting.”

9.71 **Dust**

All solid particulate matter that is suspended in the air, or has settled after being airborne. By way of example, ‘dust’ may be derived from sand, cement, fertiliser, coal, soil, paint, ash, animal products, or wood.

9.72 **Dwellinghouse**

Any building, whether permanent or temporary, that is occupied, in whole or in part, as a residence, and includes any structure or outdoor living area that is accessory to, and used wholly or principally for the purposes of, the residence, but does not include the land upon which the residence is sited.

- 9.72A **DWSNZ**
Drinking water standards for New Zealand (2005 Revised edition 2008) or subsequent version.
- 9.73 **Earthworks**
The disturbance of land surfaces by blading, contouring, ripping, moving, removing, placing or replacing soil or earth, or by excavation, or by cutting and filling operations.
- 9.74 **Ecosystem**
A dynamic complex of plant, animal and micro-organism communities and their non-living environment, interacting as a functional unit.
- 9.75 **Edge protection works**
Works established to provide protection to a river bank.
- 9.76 **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.
- 9.77 **Efficient**
The use of a resource in a manner that maximises net benefits to the region. Net benefits are determined by subtracting total costs (including negative effects on the environment) from total benefits (including positive effects on the environment).
- 9.77A **Efficient allocation and use**
Efficient allocation and use has the same meaning as given in the 2011 NPSFM's interpretation section. For the purposes of this Plan, economic efficiency means water use which results in the optimum outcome for the environment and community; technical efficiency means the amount of water beneficially used in relation to that taken; and dynamic efficiency means the adaptability of water allocation to achieve ongoing improvements in efficiency.
- 9.78 **Efficient groundwater take**
Abstraction by a bore which penetrates the aquifer from which water is being drawn at a depth sufficient to enable water to be drawn all year (i.e. the bore depth is below the range of seasonable fluctuations in groundwater level), with the bore being adequately maintained, of sufficient diameter and screened to minimise drawdown, with a pump capable of drawing water from the base of the bore to the land surface.
- 9.79 **Efflux**
The velocity of gases leaving a chimney, pipe or other exhaust.
- 9.80 **Energy**
The capacity of a body or a system to do work.
- 9.81 **Environment**
Includes:
(a) ecosystems and their constituent parts, including people and communities
(b) all natural and physical resources
(c) amenity values, and
(d) the social, economic, aesthetic, and cultural conditions which affect the matters stated in paragraphs (a) to (c) of this definition or which are affected by those matters.
- 9.81A **Environmental State Indicator**
The numerical value for a water quality parameter that defines the desired state in order to safeguard the life supporting capacity of the water body.
- 9.82 **Erosion**
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.

- 9.82A **Existing**
For the purpose of Objective TT4, Policies TT1 to TT15 and Rules TT1 to TT5, existing means as at 4 May 2013.
- 9.83 **Existing fish passage**
Includes the passage of fish that occurs in a given waterbody over the course of a year.
- 9.84 **Existing systems**
For the purpose of this Plan existing systems do not include systems that have been modified or replaced after notification of this Plan (15 April 2000).
- 9.84A **External combustion**
means a fuel combustion process that is not internal combustion, but utilises a heat furnace primarily to generate *thermal* energy. External combustion typically involves fully aspirated burning of the fuel to heat another fluid such as water (for steam), other exchange liquids or gases, air directly, or any component or part of a process that requires thermal energy. Unlike internal combustion, mechanical energy from external combustion can only be generated indirectly, by the furnace heating a fluid within a closed circuit – typically utilising phase change of the heated fluid between liquid and gas to generate physical motion, such as via a steam turbine driven by a boiler/cooler circuit.
- 9.84B **Farming Enterprise**
Means an aggregation of parcels of land within the same Surface Water Allocation Zones identified in Schedule XVI, held in single or multiple ownership (whether or not held in common ownership) that constitutes a single farming operating unit.
- 9.84C **Farm Environmental Management Plan**
Means a whole of farm environmental management plan which addresses environmental risks associated with irrigation management, animal effluent management, nutrient management, stock management and soil management and is prepared in accordance with the requirements listed in Schedule XXII.
- 9.84D **Farm System Change**
Means a change in farming practices beyond routine fluctuations that arise as a result of rotational, annual or seasonal variations in climatic and/or market conditions.
- 9.85 **Fauna**
All the animal life of a given place.
- 9.86 **Feedlot**
An area of land upon which animals are kept and fed for more than 15 days in any 30 day period, where the activity precludes the maintenance of pasture or ground cover.
- 9.87 **Feedpad**
An area of land to which animals are brought for supplementary feeding on a regular basis, where the activity precludes the maintenance of pasture or ground cover.
- 9.88 **Fertiliser**
Any substance which is described as or held out to be suitable for sustaining or increasing growth, productivity or quality of plants or animals through the application of the following essential nutrients to plants or soil, whether in solid or fluid form:
- nitrogen, phosphorous, potassium, sulphur, magnesium, calcium, chlorine, sodium as major nutrients, or
 - manganese, iron, copper, boron, cobalt, molybdenum, selenium as minor nutrients or additives
- and any other product which is considered to meet identified soil or plant nutrient deficiencies and is applied with this principal objective.
- 9.89 **Financial contribution**
A contribution as described in section 108 (9) of the Resource Management Act, and as set out in section 7.2 of this Plan.
- 9.90 **Flood carrying capacity**
The capacity of any channel to convey flood waters.
- 9.91 **Flora**
All the plant life of a given place.

- 9.91A **Flow Management Site**
Means a site on the river where minimum flow limits are set and monitored.
- 9.92 **Foreshore**
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.
- 9.92A **Freestanding Burner**
means an appliance designed to be installed as a solid fuel burner in all areas of a residential dwelling except in a concrete or masonry fireplace or recessed into a building structure or fitting.
- 9.93 **Freshwater**
All water except coastal water and geothermal water.
- 9.93A **Freshwater objective**
has the same meaning as given in the 2011 NPSFM's interpretation section.
- 9.94 **Fuel burning equipment**
Any enclosed fireplace, stove, incinerator, boiler, furnace, turbine, or internal or external combustion engine, in which the combustion of fuel or waste is carried out in a manner whereby the oxygen content, temperature, turbulence and residence time can be controlled.
- 9.95 **Gravel**
Includes all rock and soil material located in a river bed, and which is derived from catchment erosion processes and includes all technical categories of such material including shingle, silts and clays, and includes other generally accepted terms such as aggregates.
- 9.95A **Greater Heretaunga / Ahuriri Catchment Area**
Means a catchment area including the Ahuriri Estuary, Karamū Stream, Ngaruroro River, Tutaekuri River, their tributaries, plus associated Heretaunga Plains groundwater catchments. Indicative location of the Greater Heretaunga / Ahuriri Catchment Area is set out in Appendix A to Chapter 3.1A.
- 9.95B **Greater Region Airshed**
means an airshed covering those parts of the region which have not been specified by the Minister for the Environment in a notice in the Gazette to be a separate airshed.
- 9.96 **Greywater**
The domestic wastes from baths, showers, basins, laundries and kitchens, specifically excluding water closet and urinal wastes. Greywater does not normally contain human wastes unless laundry tubs or basins are used to rinse soiled clothing or baby's napkins.
- 9.97 **Groundwater**
In terms of this Plan, water which is below the surface of the ground, or the bed of any lake or river, whether the water is flowing or not, and if it is flowing, whether it is in a defined channel or not.
- 9.97A **Ground Water Allocation Zone (Tukituki)**
An area of the catchment as shown in Schedule XVII that has a defined allocation limit for groundwater abstraction set in Table 5.9.5.
- 9.98 **Groundwater protection zone**
An area of land in which land use and water use activities are to be managed to protect the underlying groundwater resource.
- 9.99 **GROWSAFE Introductory Certificate**
A certificate which is administered by the New Zealand Agrichemical Education Trust, and awarded for successful completion of the GROWSAFE Introductory Course.
- 9.100 **Guideline**
A numerical concentration or narrative statement recommended to support and maintain an identified environmental value or resource use.
- 9.101 **Habitat**
The place or type of site where an organism or population normally occurs.

- 9.102 **Hand-held appliance**
In relation to agrichemicals, means a knapsack sprayer, a handgun sprayer, a motorised knapsack sprayer, or a hand-held sprayer with a rate and volume of application no greater than these devices.
- 9.103 **Hapu**
Families (whanau) that have an eponymous ancestor.
- 9.103A **Hastings Airshed**
means an airshed specified by the Minister for the Environment by a notice in the Gazette over the Hastings urban area and surrounds for the purposes of managing local ambient air quality. The area covered by the Hastings Airshed is incorporated by reference in Schedule XIII, and comprises Airzone 1 and Airzone 2.
- 9.103B **Hastings Airshed Airzone 1**
means the area of the Hastings Airshed covered by Airzone 1 as shown in Schedule XIII.
- 9.103C **Hastings Airshed Airzone 2**
means the area of the Hastings Airshed covered by Airzone 2 as shown in Schedule XIII.
- 9.104 **Hazard mitigation**
In relation to natural hazards, means lessening the risks posed by natural hazards to human welfare and physical infrastructure.
- 9.105 **Hazardous substance**
Means, unless expressly provided otherwise by regulations prepared under the Hazardous Substances and New Organisms Act 1996, 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) which 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.
- 9.106 **HBRC**
The Hawke's Bay Regional Council.
- 9.106A **Heavy fuel oil**
means the residual fuel oil remaining after light fuel oil and the lighter fractions have been removed from crude oil during the refining process. Heavy fuel oil is more dense and viscous and has a higher sulphur content than light fuel oil.
- 9.106B **Heretaunga Plains sub-region**
means the part of the Hawke's Bay region identified in Schedule XIV.
- 9.106C **High Flow Take**
Means a water take that occurs from a river that is flowing in excess of its median flow under the provision of Policy TT10.
- 9.107 **Historic place**
Any land (including an archaeological site); or any building or structure (including part of a building or structure); or any combination of land and a building or structure that forms part of the historical and cultural heritage of New Zealand and lies within the territorial limits of New Zealand; and includes anything that is in or fixed to such land.
- 9.108 **Horticulture**
The growing of vegetables, fruit, flowers, plants in nurseries, grapes, other orchard trees, ornamental trees, and forest tree nurseries for commercial purposes.
- 9.109 **Hydraulic head**
The sum of elevation head and pressure head at a given point (well) within an aquifer.
- 9.110 **Ihi**
Psyche, human mind or soul.

- 9.110A **Incinerator**
means a device that is capable of burning solid fuel and waste, but the combustion is not able to be controlled and is not totally enclosed.
- 9.111 **Indigenous vegetation**
Vegetation that occurs naturally in New Zealand or arrived in New Zealand without human assistance.
- 9.112 **Individual premises**
Any building (or buildings) and any areas of adjoining land in common ownership.
- 9.113 **Individual's reasonable domestic needs**
See "Reasonable domestic needs".
- 9.113A **Industrial Greenfield Growth Area**
means land identified for business activities that has not been previously developed for this use.
- 9.114 **Industrial or trade premise***
Means:
(a) any premises used for any industrial or trade purposes, or
(b) any premises used for the storage, transfer, treatment, or disposal of waste materials or for other waste-management purposes, or used for composting 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.
- 9.115 **Industrial or trade process**
Includes every part of a process from the receipt of raw material to the dispatch or use in another process or disposal of any product or waste material, and any intervening storage of the raw material, partly processed matter, or product.
- 9.115A **Industry Good Practice**
Refers to any farm management practice, the use of technology or changes to farming systems that provide for sound farm production methods, improved performance and reduces the environmental impact of the use of production land on the environment and that is promoted by the relevant primary production sector as industry good practice.
- 9.115B **Insert burner – no wetback**
means a solid fuel burning appliance designed to be installed in a fireplace or a suitably flued masonry enclosure, but not connected to the hot water supply system within a residential dwelling.
- 9.115C **Insert burner – wetback**
means a solid fuel burning appliance designed to be installed in a fireplace or a suitably flued masonry enclosure and is connected to the hot water supply system within a residential dwelling.
- 9.116 **Instream values**
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.
- 9.117 **Intake structure**
The device by which water is taken from a water body.
- 9.118 **Intensive pig farming**
Pig farming carried out predominantly within buildings or fenced outdoor areas where the stocking density precludes the maintenance of pasture or ground cover, and involving the keeping, breeding or rearing of more than five pigs that have been weaned, or more than two sows.
- 9.118A **Intermittent River**
A river that does not flow continuously and has a bed that is predominantly unvegetated and comprises silt, sand, gravel, boulders or similar material.
- 9.118B **Internal combustion**
means a fuel combustion process within an engine in which *mechanical* energy is produced by the explosion of a fuel-and-air mixture within the engine (either within cylinders in the case of engines powered by fuels like petrol or diesel, or within gas turbines in the case of jet engines). While the primary purpose of an internal combustion

process is to convert the energy from combustion of the fuel directly into mechanical energy, note that a significant proportion of the energy is also converted to waste heat.

- 9.119 **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.
- 9.120 **Io Mataukore**
The "parentless one."
- 9.121 **Iwi**
Tribe, people; a confederation of hapu that have an eponymous ancestor.
- 9.122 **Iwi authority**
The authority which represents an iwi and which is recognised by that iwi as having authority to do so.
- 9.123 **Iwi management plan**
A relevant planning document recognised by an iwi authority affected by this Plan, to which local authorities shall have regard. An iwi management plan may include a combination of management plans prepared by hapu.
- 9.124 **Kaitiaki**
A person or entity responsible for the exercise of kaitiakitanga. A kaitiaki may be spiritual or physical and may assume many different forms.
- 9.125 **Kaitiakitanga**
The exercise of guardianship; and, in relation to a resource, includes the ethic of stewardship based on the nature of the resource itself. It recognises the origins of taonga tuku iho and the rights of future generations.
- 9.126 **Kauae Runga**
Upper jaw (being fixed to the head is an analogy for the changeless nature of Tikanga).
- 9.127 **Kauae Raro**
Lower jaw (being flexible, is an analogy for the dynamic nature of Kawa).
- 9.128 **Kawa**
The protocol.
- 9.129 **Kawanatanga**
Governorship, government.
- 9.129A **Kerosene**
means a highly refined fuel, also known as paraffin oil, used whenever a pure, low contamination liquid fuel is required, as in certain types of lamps, and domestic heating devices and industrial fuel burning equipment. Kerosene fuels are a clear, colourless hydrocarbon liquid and are characterised by low volatility and moderately high flash points which make them difficult to ignite and burn cleanly without preheating.
- 9.130 **Kotahitanga**
A unification of people, things, ideas; the tikanga maori value concept of unanimity, accord or consensus through consultation.
- 9.130A **kW (kilowatt)**
means a measure of power (the rate at which work is being done) where $1 \text{ kW} = 10^3$ (1000) Joules per second.
- 9.131 **Lake**
A body of fresh water which is entirely or nearly surrounded by land.
- 9.132 **Land**
Includes land covered by water and the air space above land.
- 9.133 **Land based discharge**
The discharge of a substance from a device or other structure in contact with land at the time of the discharge.
- 9.134 **Land fill**
A waste disposal site of any size used for the controlled deposit of predominantly solid wastes onto or into land.

- 9.135 **Land holder**
Includes land owner, lessee and occupier.
- 9.136 **Land use capability**
Refers to the assessed capability of an area of land to sustain a range of land use activities.
- 9.136A **Land Use Capability Class (LUC)**
Means a classification of areas of land within a farm property or farming enterprise in terms of its physical characteristics or attributes (e.g. rock, soil, slope, erosion, vegetation). The land use capability classes can be derived either from the New Zealand Land Resource Inventory or a suitably qualified person specifically assessing and mapping the land use capacity classes of land within a farm property or farming enterprise. Where the LUC is assessed by a suitably qualified person that person shall use the land use capacity survey handbook – a New Zealand handbook for the classification of land. 3rd Edition, Hamilton., Ag. Research; Lincoln, Landcare Research; Lower Hutt, GNS Science.
- 9.137 **Leachate**
A liquid contaminant resulting from the liquid being exuded from or percolated through predominantly solid matter.
- 9.137A **Level of Habitat Protection**
In relation to Tukituki River catchment minimum flow limits, relates to the level of habitat protection as a percentage relative to the habitat available at the Mean Annual Low Flow.
- 9.137B **Light fuel oil**
means residual oil of grade No. 5 or less (as described in USEPA Chapter 1 of the Compilation of Air Pollutant Emission Factors, AP-42, (January 1995) Fifth Edition, Volume I: Stationary Point and Area Sources), and contains less than 2% sulphur by weight. This does not include distillate oils such as kerosene and diesel.
- 9.137C **Limit**
Has the same meaning as given in the 2011 NPSFM's Interpretation section.
- 9.137D **Liquefied petroleum gas (LPG)**
means butane, propane or a mixture of the two.
- 9.138 **Local Air Quality**
The air quality outside buildings or structures affected by a variety of sources causing a cumulative effect within a relatively small area. It does not mean indoor air nor individual source discharges.
- 9.139 **Local authority**
A regional council or territorial authority.
- 9.139A **Low intensity farming system**
Means farm properties or farming enterprises that contain no more than 8 stock units per hectare including permanent horticultural and viticultural crops (such as orchards, vineyards) and lifestyle properties; but does not include
- a) Properties used for the production of rotational vegetable crops;
 - b) Dairy farms;
 - c) Grazed forage crops.
- 9.139B **MACNL**
Means Maximum Allowable Catchment Nitrogen Load which is the maximum amount of nutrient (in units of tonnes/year) that can be lost from land (root zone loss) within the Tukituki Catchment above Black Bridge. This includes land that is that is regulated by way of permitted activity or resource consent and land that is not regulated (e.g. native forest). Compliance with the MACNL is determined from root zone losses modelled using Overseer (or an alternative model approved by Hawke's Bay Regional Council).
- 9.140 **Mahinga kai**
Food cultivation.
- 9.141 **Mahinga mataitai**
Areas from which food resources are gathered and/or propagated.

- 9.142 **Maintenance**
In relation to structures, means to keep in existing order, to prevent loss or deterioration, or to restore to working order. It does not include extending, replacing, removing or demolishing a structure, or any substantive change to the form, orientation, or outline of the structure.
- 9.142A **MALF**
Means Mean Annual Low Flow of a river and the average of the annual low flows occurring over 7 consecutive days for the years where river flow records are available for a river.
- 9.143 **Mana**
Empowerment, entitlement, authority, prestige, influence or control.
- 9.144 **Mana moana**
Rights to the sea.
- 9.145 **Mana whenua**
Customary authority exercised by an iwi or hapu in an identified area.
- 9.146 **Manaakitanga**
The process of caring for, protection of, or giving benefit to others; the tikanga maori value concept that denotes the voluntary rangatiratanga gesture of benevolence for people.
- 9.146A **Managed stock crossing**
Managed stream crossing refers to a point(s) along a stream where stock are actively herded across to access another paddock or part of the farm. It is intended that this activity be infrequent, not on formed raceways and that stock shall be actively managed.
- 9.147 **Management agency**
Any body having functions, powers and duties under the Act or having functions, powers or duties transferred to it under the Act.
- 9.147A **Management entity**
In relation to Policy TT12, a legally established entity with authority from a group of consent holders to manage temporary transfers of water between consent holders.
- 9.148 **Manufacture**
For the purposes of this Plan manufacture excludes sites which deal solely with the handling, storage and mixing of goods.
- 9.149 **Mauri**
The indefinable essence described as the 'life-force'.
- 9.150 **MCI – Macro Invertebrate Community Index**
An index of the proportion of sensitive to tolerant species (in relation to the quality of a water body), among the community of benthic invertebrates that can be seen with the naked eye.
- 9.151 **Mean high water springs**
The average line of spring high tide.
- 9.151A **MERI**
A Monitoring Evaluation Reporting and Improvement Plan prepared as part of the Tukituki Catchment Implementation Plan which outlines how the non-regulatory approaches in Change 6 (Tukituki Catchment) will be implemented.
- 9.152 **Mineral**
Has the same meaning as in section 2 of the Crown Minerals Act 1991, which is: "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".
- 9.153 **Minimum flow**
A critical flow set to ensure sufficient water is left in a river to maintain the life-supporting capacity of aquatic ecosystems and/or other identified values, during low flow conditions.

- 9.153A **Minimum flow regime**
Comprises the minimum flows in Table 5.9.3 and Table 5.9.6, together with the manner in which takes will be managed in relation to those minimum flows as described in POL TT7, POL TT9, POL TT10, POL TT11 and POL TT13A.
- 9.154 **Moana**
Sea.
- 9.154A **Modified NESAQ compliant burner:**
means a small scale solid fuel burner that meets the requirements of Part C Schedule XII after modification, and is specifically included on an approved modified burner list².
- 9.154B **Modified pellet boiler**
means solid fuel burning equipment that has been modified after manufacture and/or installation to convert it to a boiler fuelled by wood pellets and where the pellets and air are mechanically delivered to an enclosed combustion chamber at a controlled rate.”
- 9.154C **Mohaka Catchment Area**
means a catchment area including the Mohaka River, its tributaries, plus associated groundwater catchments. Indicative location of the Mohaka Catchment Area is set out in Appendix A of Chapter 3.1A.
- 9.155 **Mouth ***
For the purpose of defining the landward boundary of the coastal marine area, means the mouth of the 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 of the Act upon application made by the Minister of Conservation, the regional council, or the territorial authority prior to the plan becoming operative.
- 9.155A **Multi-fuel burner**
means a small scale fuel burner designed to burn more than one type of solid fuel.
- 9.155B **MW (megawatt)**
means a measure of power (the rate at which work is being done) where 1 MW = 10⁶ (1 million) Joules per second, or 1000 kW.
- 9.155C **Napier Airshed**
means an airshed specified by the Minister for the Environment by a notice in the Gazette over the Napier urban area and surrounds for the purposes of managing local ambient air quality. The area covered by the Napier Airshed is incorporated by reference in Schedule XIII, and comprises Airzone 1 and Airzone 2.
- 9.155D **Napier Airshed Airzone 1**
means the area of the Napier Airshed covered by Airzone 1 as shown in Schedule XIII.
- 9.155E **Napier Airshed Airzone 2**
means the area of the Napier Airshed covered by Airzone 2 as shown in Schedule XIII.
- 9.155F **National Ambient Air Quality Standard**
means a standard specified under the Resource Management (National Environmental Standards for Air Quality Regulations 2004).
- 9.156 **National Policy Statement**
A statement issued under section 52 of the Act.
- 9.157 **Natural and physical resources**
Land, water, air, soil, minerals, and energy, all forms of plants and animals (whether native to New Zealand or introduced), and all structures.
- 9.157A **Natural gas**
means a mixture of naturally occurring hydrocarbons that are gaseous under normal conditions of temperature and pressure, comprising methane and small amounts of ethane, propane and other gases.

² A list of approved modified burners (i.e. those burning appliances that have been modified to comply with the NESAQ) is available from the Hawke's Bay Regional Council on request.

- 9.158 **Natural hazard**
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.
- 9.159 **Natural temperature**
The temperature which occurs naturally when the water is not influenced by known discharges or activities which may cause an increase or decrease in the temperature of the water.
- 9.159A **NESAQ**
refer to National Ambient Air Quality Standard.
- 9.159B **NESAQ compliant burner**
means a small scale solid fuel burner that meets the requirements in Schedule XII, and is specifically stated on an approved burner list.³
- 9.159C **NES-DW**
Means National Environmental Standard for Sources of Human Drinking Water 2007, as referenced in the Resource Management (National Environmental Standard for Sources of Human Drinking Water) Regulations 2007
- 9.159CA **NES-F**
means National Environmental Standard for Freshwater 2020, as referenced in the Resource Management (National Environmental Standard for Freshwater) Regulations 2020.
- 9.159CB **NES-OTS**
means National Environmental Standard for Outdoor Tyre Storage 2021, as referenced in the Resource Management (National Environmental Standard for Outdoor Tyre Storage) Regulations 2021.
- 9.159D **Net Density**
The number of lots or dwellings per hectare (whichever is the greater). Where:
1. the area (ha) includes land for:
 - a) Residential purposes, including all open space and on-site parking associated with residential development;
 - b) Local roads and roading corridors, including pedestrian and cycle ways, but excluding State Highways and regional arterial roads;
 - c) Local (neighbourhood) reserves; and
 2. the area (ha) excludes land that is:
 - a) Stormwater retention and treatment areas;
 - b) Geotechnically constrained (such as land subject to subsidence or inundation);
 - c) Set aside to protect significant ecological, cultural, heritage or landscape values;
 - d) Set aside for esplanade reserves or access strips that form part of a larger regional or sub-regional reserve network;
 - e) For local community services and retail activities, or for schools, hospitals or other district, regional or sub-regional facilities.
- 9.159E **Net site area (NSA)**
means a single contiguous area of a property set aside for the exclusive use of its owners, leasees or tenants and shall exclude all common use areas, access lots or access strips and entrance strips.
- 9.160 **Network utility operator**
The meaning set out in section 166 of the Act.
- 9.161 **New Zealand Coastal Policy Statement**
A statement issued under section 57 of the Act.
- 9.162 **Noa**
Open, available (i.e. state of not being tapu or rahui).
- 9.163 **Noise**
Includes vibration.

³ A list of approved burners (i.e.: those burning appliances that comply with the NESAQ) is available from the Hawke's Bay Regional Council on request.

- 9.164 **Non-hazardous by-products**
By-products from industrial processes that are not hazardous substances and are not contaminated by hazardous substances.
- 9.165 **Non-point source discharge**
See “Diffuse source discharge”.
- 9.166 **Noxious**
See Section 6.1.4 of this Plan
- 9.166A **NPSFM**
National Policy Statement for Freshwater Management.
- 9.166B **Nutrient Budget**
A Nutrient Budget means:

A statement of the total nutrient balance for a particular farm property or farming enterprise, taking into account all the nutrient inputs and all the outputs. It must be prepared or approved:

(i) using standard protocols recognised and approved by the Hawke’s Bay Regional Council such as “Overseer Best Practice Input Standards”; and

(ii) by a person who is a Certified Nutrient Management Advisor or who has completed both the “Intermediate” and the “Advanced” courses in “Sustainable Nutrient Management in New Zealand Agriculture” conducted by Massey University.

The information requested by the Hawke’s Bay Regional Council shall be provided in an electronic format compatible with HBRC information systems and may include but shall not be limited to the following reports from Overseer or their equivalent if an alternative model is used: Nutrient Budget, Nitrogen, Phosphorus, Summary, Nitrogen Overview.
- 9.167 **Objectionable**
See Section 6.1.4 of this Plan
- 9.168 **Offensive**
See Section 6.1.4 of this Plan
- 9.169 **On-site sewage treatment system**
A system used for the collection, treatment and land application of wastewater within the boundary of the same property title that generate that wastewater. Treatment systems include basic septic tank units, alternative septic tank units, dry vault units (e.g. pit privies), wet vaults (e.g. septic closet) systems for blackwater with separate greywater disposal (e.g. sullage tanks), aerated wastewater treatment systems, sand media and alternative filters, wetlands etc. Disposal systems include soakage trenches and beds, modified trench and bed systems relying in full or in part on evapo-transpiration, subsurface and surface irrigation systems, absorption wells/infiltration pits, and above ground treatment/disposal (fill and mound) systems.

See also definitions of ‘blackwater’, ‘greywater’, ‘septic tank’ and ‘sewage.’
- 9.169A **On-site wastewater system**
See ‘on-site sewage treatment system.’
- 9.169B **Open fire**
means a fireplace or similar device installed in, or attached to, any building which is capable of burning solid fuel, but where the combustion is not totally enclosed.
- 9.170 **Operative**
In relation to a policy statement or plan, or a provision of a policy statement or plan, means that the policy statement, plan, or provision has become operative in terms of clause 20 of the First Schedule of the Act and has not ceased to be operative.
- 9.171 **Organic material**
Putrescible material of plant, animal or microbial origin.
- 9.171A **Outdoor burning**
means the combustion of any material in the open air, other than in purpose-built fuel burning equipment designed to control the combustion process. Outdoor burning includes the use of any fire, or bonfire or burning

in drums and backyard rubbish incinerators, but does not include the burning of fuels in hangi and barbeques for food cooking purposes.⁴

9.171C **OVERSEER**

Overseer is a Nutrient Budget model that calculates and estimates the nutrient flows in a productive farming system and estimates nutrient losses on a long term average basis (in units of kg/ha/year). It is owned and administered by the Ministry of Primary Industries, Fertiliser Association of New Zealand and AgResearch.

9.172 **Papatuanuku**

Earth Mother, wife of Ranginui to whom she had some 70 children called atua, or deities.

9.172A **Particulate matter**

means solid and aerosol matter that exists in the atmosphere. For the purposes of this Plan, it includes smoke, deposited particulates, suspended particulates, respirable particulates and visibility-reducing particulates. Particles range in size from 100 microns down to aggregation of molecules. Particulate matter that is less than 10 microns in aerodynamic diameter is referred to as PM₁₀.

9.172B **Pellet burner**

Means any small-scale solid fuel burning appliance that burns only wood pellets where the pellets and air are mechanically delivered to an enclosed combustion chamber at a controlled rate.

9.172C **Periphyton**

Is a complex mixture of algae and slimes that attach to submerged surfaces in rivers.

9.173 **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 RMA) specified in the plan.

9.173A **Phosphorus Management Plan (PMP)**

Means a plan prepared generally in accordance with industry code of practices which identifies the inherent environmental risks on the farm property or farming enterprise associated with phosphorus and sediment loss, the significance of those risks, and identifies management practices to be implemented to avoid or reduce the risks. In particular a PMP shall:

- a. Aim to maintain or reduce phosphorus loss from the farm property;
- b. Include a Nutrient Budget;
- c. Identify critical source areas for phosphorus loss on a farm map;
- d. Evaluate, using appropriate techniques, a range of farm specific phosphorus loss mitigation measures including, but not limited to:
 - (i) achieving optimum Olsen P levels in the soil;
 - (ii) the optimal use of phosphorus fertilisers;
 - (iii) sealing effluent ponds, practicing deferred irrigation of effluent and avoiding overland flows of effluent;
 - (iv) stock exclusion from water bodies;
 - (v) avoiding intensive animal feeding operations and the grazing of forage crops on shallow soils underlain by shingle or sand;
 - (vi) the mitigation measures listed in POL TT5(1)(f)(iii) to (v).
- e. Include a time bound implementation plan that outlines which mitigation methods are to be used to maintain or reduce phosphorus loss from the farm property;
- f. Be certified as being technically appropriate by an approved person who is a Certified Nutrient Management Advisor or who has completed both the “Intermediate” and the “Advanced” courses in “Sustainable Nutrient Management in New Zealand Agriculture” conducted by Massey University.

⁴ NOTE: The NESAQ contains clauses prohibiting the burning of certain materials in the open and overrides rules contained elsewhere in this Plan.

- 9.174 **Piezometer**
An observation well designed to measure the elevation of the water table or hydraulic head of groundwater at a particular level. The well is normally quite narrow and allows groundwater to enter only at a particular depth, rather than through its length.
- 9.175 **Pilots chemical rating**
A rating which is administered by the Civil Aviation Authority, and is awarded to pilots involved in the aerial application of agrichemicals.
- 9.176 **Pipeline**
A pipeline constructed or used to convey any matter or substance, and includes all necessary incidental equipment, including compressor stations.
- 9.176A **Plantation Forest or Plantation Forestry**
means a forest deliberately established for commercial purposes, being—
(a) at least 1 ha of continuous forest cover of forest species that has been planted and has or will be harvested or replanted; and
(b) includes all associated forestry infrastructure; but
(c) does not include -
(i) a shelter belt of forest species, where the tree crown cover has, or is likely to have, an average width of less than 30 m; or
(ii) forest species in urban areas; or
(iii) nurseries and seed orchards; or
(iv) trees grown for fruit or nuts; or
(v) long-term ecological restoration planting of forest species; or
(vi) willows and poplars space planted for soil conservation purposes
as defined in the Resource Management (National Environmental Standards for Plantation Forestry) Regulations 2017.
- 9.176B **PM₁₀**
means particulate matter that is less than 10 microns in aerodynamic diameter (ie: less than 0.01mm diameter).
- 9.177 **Point of discharge**
in relation to a drainage system, means the location in a system that the drainage system operator ceases to control the discharge to the environment.

in relation to on-site sewage treatment systems, means the depth below or above ground level that a distribution line is placed, or if a trench or bed is used, the base of that trench or bed (not the depth at which the distribution line is placed within the trench or bed).
- 9.178 **Point source discharge**
A discharge that has been collected and controlled in some manner, such as a discharge that has been pumped through a pipe.
- 9.178A **Potable**
Water that is suitable for human consumption.
- 9.179 **Preservation**
In relation to a resource, means the maintenance, so far as is practicable, of its existing values.
- 9.180 **Primary production**
The use and development of land for the production of primary products including agricultural, horticultural, pastoral and forestry products.
- 9.181 **Private land**
Land which is not public land.
- 9.182 **Production cropping**
Planting, growing and harvesting crops on production land.
- 9.183 **Production land ***
(a) Means any land and auxiliary buildings used for the production (but not processing) of primary products (including agricultural, pastoral, horticultural and forestry products):

(b) Does not include land or auxiliary buildings used or associated with prospecting, exploration, or mining for minerals—
and ‘production’ has a corresponding meaning.

9.184 **Productive aquifer**

An aquifer:

- (a) that has a quantity and flow of water such that it can be used for water supply purposes, and
- (b) where the benefits of utilisation outweigh the costs (especially where the aquifer has existing contamination).

See also ‘aquifer’.

9.185 **Prohibited activity**

Any activity which 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.

9.186 **Property**

Refers to one or more allotments as contained in a single certificate of title, and also includes all adjacent land that is in the same ownership.

9.187 **Proposed plan**

A proposed plan, or variation to a proposed plan, or change to a plan that has been notified under clause 5 of the First Schedule but has not become operative in terms of clause 20 of the First Schedule; but does not include a proposed plan or change originally requested by a person other than a local authority or a Minister of the Crown, unless the proposed plan or change is adopted and notified by the local authority under clause 25 (2) (a) of the First Schedule.

9.188 **Protection**

In relation to a resource means its maintenance so far as is practicable, in its current state, but includes:

- (a) its restoration to a former state
- (b) its augmentation, enhancement or expansion.

9.189 **Public land**

Land to which the public has free access at the time an activity is undertaken in accordance with a rule in this Plan.

9.190 **Public notice**

- (a) When given by a Minister of the Crown in relation to any matter other than a restricted coastal activity, a notice published in one or more daily newspapers circulating in the main metropolitan areas.
- (b) When given by a local authority, consent authority, or requiring authority (including the Minister of Conservation in the case of a restricted coastal activity decision), a notice published in:
 - (i) one or more daily newspapers circulating in the region or district of the local authority or to which the consent or requirement relates, or
 - (iii) one or more other newspapers that have at least an equivalent circulation in that region or district together with such other public notice (if any) as the Minister, local authority, consent authority, or requiring authority thinks desirable in the circumstances.

“Publicly notify” and “public notification” have corresponding meanings.

9.191 **Rahui**

A temporary prohibition or closure e.g. closure of fishing grounds in the vicinity of where someone has drowned.

9.191A **Raised bed**

means an area that wastewater is discharged into/onto that has been raised above surrounding ground level by the importation of additional soil/fill. For the purposes of this definition, raised beds include Wisconsin Mounds and ETA/ETS design where these are built up above the existing ground level.

9.192 **Rangatiratanga**

Denotes the status of the individual, whanau, hapu, iwi, in which mana reposes or sits; Tikanga Maori value concept from which Maori derive the right and responsibility to exercise kaitiakitanga. Tino rangatiratanga is the ultimate status.

9.193 **Ranginui**

Sky Father, husband of Papatuanuku, both of whom were created by Io Matuakore.

- 9.194 **Reasonable domestic needs**
Refers to needs associated with occupation of a dwellinghouse. “Domestic uses” and “Domestic purposes” have corresponding meanings. See also the definition of “Dwellinghouse”.
With respect to the taking and use of water for an individual’s reasonable domestic needs, as a guideline this should involve the taking and use of up to 15 m³ over any seven day period per dwellinghouse.
- 9.195 **Reasonable mixing**
See “after reasonable mixing”.
- 9.196 **Reclamation**
The permanent infilling of a water body or part of a water body with sand, rock, quarry material, concrete, or other similar material, for any purpose, and includes any embankment or causeway, but does not include any structure above water where that structure is supported by piles, or any deposition of material or infilling that is not permanent.
- 9.196A **Regional Coastal Environment Plan**
means a combined regional coastal plan and regional plan applicable to the coastal environment of the Hawke’s Bay region.
- 9.197 **Regional coastal plan**
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).
- 9.198 **Regional council**
Has the same meaning as in the Local Government Act 1974.
- 9.199 **Regional plan**
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).
- 9.200 **Regional policy statement**
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).
- 9.201 **Regional rule**
A rule made as part of a regional plan or proposed regional plan in accordance with Section 68 of the Act.
- 9.202 **Registered chemical applicator**
Any person who is, for the time being, recognised as a registered chemical applicator in accordance with the scheme of registration conducted by the New Zealand Agrichemical Education Trust.
- 9.203 **Registered historic place**
Any historic place registered under Part II of the Historic Places Act 1993.
- 9.204 **Regulation**
Regulations made under the RMA 1991.
- 9.204A **Residential Greenfield Growth Area**
means land identified for residential activities that has not been previously developed for this use.
- 9.205 **Residential property**
A property that contains at least one permanent dwellinghouse, and which is used primarily for domestic purposes. For the purposes of this Plan this refers to non-sewered properties.
- 9.206 **Resource consent**
The meaning set out in section 87 of the Act; and includes all conditions to which the consent is subject.
- 9.207 **Reticulated system, or reticulation**
The means by which water, stormwater, sewage or any water-borne contaminant is collected and delivered prior to discharge.

- 9.208 **Riparian management**
The 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).
- 9.209 **Riparian margin**
A strip of land of varying width adjacent to a waterway and which contributes or may contribute to the maintenance and enhancement of the natural function, quality and character of the waterway and its margins.
- 9.210 **River ***
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).
- 9.211 **River bed**
See 'bed.'
- 9.212 **Rongoa**
A medicine or cure.
- 9.213 **RMA**
The Resource Management Act 1991, including any amendments thereto.
- 9.214 **Runanga**
Assembly, council.
- 9.214A **Seasonal volume**
Is the actual crop water requirement required over a crops growing season (including any crop rotation).
- 9.215 **Septage**
The contents of a wastewater primary treatment unit, removed during desludging operations, including scum, sludge and tank liquid.
- 9.216 **Sewage**
Any wastewater, including faecal matter, urine, household and commercial wastewater that contains human waste.
- 9.216A **Small-scale fuel burner**
means any fuel burning equipment which burns solid fuel, diesel, oil or other liquid fuels for cooking, space or water heating or other purposes, where the net heat output from the combustion is not greater than 70 kilowatts (kW) for any gaseous or liquefied gaseous fuel, or not greater than 40 kW for any other fuel.
- 9.216B **Small-scale pellet burner**
refer to pellet burner.
- 9.216C **Small-scale solid fuel burner**
means fuel burning equipment with a heat generation of up to 40 kilowatts (kW), in which solid fuel is burnt for heating or cooking, and is primarily used in dwelling houses. It includes (but is not limited to) appliances for interior space heating in buildings, such as wood burners, pellet burners, pot belly and domestic ranges and stoves, water heaters or central heating units, multi-fuel burners, and similar appliances, but excludes small-scale devices used for smoking food. For the purposes of this Plan, a small-scale solid fuel burner does not include an incinerator or an open fire.
- 9.217 **Smoke**
Any product of combustion, complete or incomplete, other than water vapour, which is, or could be, visible in daylight or artificial light.
- 9.217A **Social Infrastructure**
Assets that accommodate social services such as health (hospitals), education (schools and universities), state housing, justice (police stations), places of assembly and community recreation (for example, halls, sport stadiums and parks).
- 9.218 **Soil conditioning purposes**
The application of organic material to improve the structure and quality of the soil.

- 9.219 **Soil Health**
Means:
- physical parameters including soil structure and porosity
 - biological parameters including soil organic matter and earthworms, and
 - chemical parameters including contaminants but excluding soil chemical properties generally accepted as measurements of soil fertility.
- 9.219A **Solid fuel**
means a solid substance that releases useable energy when burnt (e.g. wood, manufactured fuel pellets, coal and its derivatives).
- 9.220 **Solid waste**
Primarily solid contaminants for which disposal by discharge into the environment is intended.
- 9.221 **Solid waste management**
All means for addressing issues relating to the creation, minimisation, reuse, recycling, treatment, disposal or containment of solid waste.
- 9.222 **Spray**
In relation to agrichemicals, means the discharge into the air of agrichemicals whether in liquid, emulsified, mist, granular, powdered, pelletised or any other physical form or forms.

'Spraying' has a corresponding meaning.
- 9.222A **Stack**
refer to Chimney.
- 9.223 **Stock feed**
Organic material that can be consumed by farmed animals.
- 9.224 **Stormwater**
Runoff of water that is not absorbed by land and includes testing water used by network utility operators.
- 9.225 **Stormwater network**
A system of piped or open drains that drain an area to a point of discharge.
- 9.225A **Strategic Infrastructure**
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:
- a) strategic transport networks
 - b) Hawke's Bay Regional Airport
 - c) Port of Napier
 - d) Omarunui Regional Landfill
 - e) strategic telecommunications and radiocommunications facilities
 - f) the electricity transmission network and electricity distribution networks
 - g) renewable electricity generation activities
 - h) pipelines and gas facilities used for the transmission and distribution of natural and manufactured gas
 - i) public or community sewage treatment plants and associated reticulation and disposal systems;
 - j) public water supply intakes, treatment plants and distribution systems
 - k) public or community rural water storage infrastructure, including distribution systems
 - l) public or community drainage systems, including stormwater systems
 - m) flood protection schemes
 - n) other strategic network utilities.
- 9.225B **Strategic Transport Networks**
Transport networks and operations of national or regional significance. These include the strategic road network including State Highway and major arterial roads (as defined in district plans, the Regional Land Transport Strategy and the State Highway Classification System) and the rail network, along with the region's core public passenger transport operations and significant regional transport hubs such as the Hawke's Bay Regional Airport and the Port of Napier.
- 9.226 **Structure ***
Any building, equipment, device, or other facility made by people and which is fixed to land; and includes any raft.

- 9.226A **Structure Plan**
A plan that guides the development (or redevelopment) of an area by showing proposed future development and land-use patterns, areas of open space, the layout and nature of infrastructure (including transportation links), and other key features for managing the effects of development.
- 9.227 **Subject property**
The legally defined property, whether private land or public land, within which the subject activity occurs and includes all land that is under common ownership.
- 9.228 **Surface water**
In terms of this Plan, water which is above the surface of the ground, whether flowing or not, including rivers, lakes, artificial watercourses and wetlands.
- 9.228A **Surface Water Allocation Zone (Tukituki)**
An area of the catchment as shown in Schedule XVI that has a defined allocation limit for surface water abstraction set in Table 5.9.4.
- 9.229 **Suspended solids**
Particulate matter carried in suspension within water.
- 9.230 **Sustainable management ***
Means managing the use, development, and protection of natural and physical resources in a way, or at a rate, which enables people and communities to provide for their social, economic and cultural wellbeing and for their health and safety while:
(a) Sustaining the potential of natural and physical resources (excluding minerals) to meet the reasonably foreseeable needs of future generations; and
(b) Safeguarding the life-supporting capacity of air, water, soil, and ecosystems; and
(c) Avoiding, remedying, or mitigating any adverse effects of activities on the environment.
- 9.231 **Taking**
In relation to the taking of water, is the process of extracting the water for any purpose and for any period of time.
- 9.232 **Tane**
The atua responsible for separating ranginui (sky) and papatuanuku (earth) that lead to the third state of Maori reality – Te Ao Marama. Tane created the forests and the original human being.
- 9.233 **Tangaroa**
The atua responsible for the oceans and its creatures.
- 9.234 **Tangata whenua ***
In relation to a particular area, means the iwi, or hapu, that holds mana whenua over that area.
- 9.235 **Taonga**
Treasure, property; prized and protected as sacred possessions of the relevant hapu which exercises kaitiaki over it.
- 9.236 **Taonga raranga**
Plants used for weaving.
- 9.237 **Taonga tuku iho**
All gifts from god including knowledge, language, culture, as well as the natural and physical resources.
- 9.238 **Tapu**
Sacred or forbidden.
- 9.238A **Target**
has the same meaning as given in the NPSFM's Interpretation section.
- 9.239 **Target area**
In relation to the use of agrichemicals, means the physical target of the agrichemical application. "Non-target area" has the opposite meaning.
- 9.240 **Tauranga waka**
Landings for waka.

- 9.241 **Tawhirimatea**
The atua responsible for the elements.
- 9.242 **Te Ao Marama**
The world of light achieved through the separation of Ranginui and Papatuanuku.
- 9.243 **Te Kore Kore**
Nothingness – the first state of Maori reality.
- 9.243A **Telemetry**
Is a method of transmitting data electronically via data transfer mechanisms, a telephone or computer network, optical link or other wired communications like phase line carriers.
- 9.244 **Te Po**
The ‘night’ or darkness – the second state of Maori reality.
- 9.245 **Territorial local authority**
A city council or a district council under the Local Government Act 1974.
- 9.245A **Thermal efficiency**
means the ratio of useable heat energy output to energy input.
- 9.246 **Tikanga Maori ***
Means Maori customary values and practices.
- 9.247 **Tino Rangatiratanga**
Chiefly authority, chieftainship, full tribal authority and refers to tribal self-management – to manage and control in accordance with the preferences of the owner.
- 9.247A **Tranche**
A specified portion of groundwater from the Ruataniwha Aquifer.
- 9.248 **Transfer station**
An industrial or trade premises which receives solid waste for the purpose of sorting and/or aggregating prior to being transported to a disposal facility.
- 9.249 **Treaty of Waitangi ***
Has the same meaning as the work ‘Treaty’ as defined in section 2 of the Treaty of Waitangi Act 1975.
- 9.249A **TT**
In reference to policy and rule titles means Tukituki and indicates that the policies and rules so referenced relate to the Tukituki Catchment only.
- 9.249B **Tukituki Catchment Area**
means a catchment area including the Waipawa River, Tukituki River, Makāretu River, Makaroro River, Makara Stream, Omakere Stream, their tributaries, plus associated groundwater catchments. Indicative location of the Tukituki Catchment Area is set out in Appendix A of Chapter 3.1A.
- 9.250 **Unconfined aquifer**
See ‘aquifer’.
- 9.250A **Urban Activities**
Includes any one or combination of the following:
 - a) residential activities at a density of more than one dwelling per 2500m² of site area;
 - b) commercial and industrial business, retailing and other commercial activities;
 - c) use of social infrastructure;
 - d) papakainga or other marae-based housing;
 - e) any other land use within urban limits.
- 9.250B **Urban Limits**
The outer extent of the areas within which urban activities are located or which are committed for future urban expansion.

- 9.251 **Use**
In relation to water, means the use of water but not the processes of extraction, damming, diversion or discharge. Uses of water include human consumption, irrigation of a crop (excluding the taking of water for irrigation), and recreational uses of a water body.
- 9.252 **Vegetation**
Any vegetation, exotic or indigenous.
- 9.253 **Vegetation clearance**
The cutting, burning, clearing or destruction (including destruction by spraying) of trees, shrubs or plants but excluding grasses, forest thinnings, agricultural and horticultural crops and noxious weeds covered by the Regional Plant Pest Management Strategy prepared under the Biosecurity Act 1993. It excludes the normal maintenance of legally established structures, roads, tracks, railway lines and river beds.
- 9.253A **Vegetative matter**
means any tree branches, roots, leaves, grass cuttings, seed pods, stalks and stubble (stems), prunings, wood and similar organic plant material.
- 9.254 **Ventilation**
Includes both natural ventilation and artificial ventilation (including air conditioning units, extraction vents, mechanical fans, hoods and ducts) for the purpose of controlling temperature or providing air movement within a workplace.
- 9.254A **Versatile Land**
In relation to the Heretaunga Plains sub-region, means contiguous, flat to undulating terrain within the Heretaunga Plains sub-region that acts collectively to support regionally (and nationally) significant primary production and associated secondary services on the Heretaunga Plains, based around^{4A}:
- a) an exceptionally high proportion of versatile Class 1-3 soils (comprising almost 90%);
 - b) Class 7 soils that are internationally recognised as having very high value for viticultural production (comprising almost 7%);
 - c) its proximity to a cluster of national and international processing industries and associated qualified labour force; and
 - d) its proximity to the Port of Napier and other strategic transport networks providing efficient transport of produce.
- 9.255 **Waahi**
A place, site or location.
- 9.256 **Waahi Tapu**
Sacred site, as defined locally by the hapu which are the kaitiaki for the waahi tapu.
- 9.257 **Wairuatanga**
Spirituality; a Tikanga Maori value concept that acknowledges the source of all taonga plus the duty to exercise perpetual guardianship.
- 9.258 **Waka**
Water craft.
- 9.259 **Waste**
Any contaminant, discharged into the environment, which is unwanted or economically unusable at the time of discharge. This definition excludes 'cleanfill'.
- 9.260 **Waste oil**
means oil that has been utilised for a process (typically lubrication, either in internal combustion engines or moving parts to minimise component wear) that results in contaminants building up in the oil. Contaminants may include heavy metal particles, combustion by-products, fuel and used additives. Note: while some 'purification' processes may result in the removal of a number of these contaminants, the oil even though described as 'processed waste oil' is still defined to be waste oil because the removal is often only partial.

^{4A} While this definition is based around matters in (a) to (d), the Environment Court's decision in Canterbury Regional Council v Selwyn District Council [W142/96] provides a statement from Judge Treadwell about the wider range of factors he took into account regarding land versatility.

- 9.260A **Wastewater**
means all water or other liquid including waste matter in solution or suspension from any source which is to be discharged into a wastewater system. Wastewater includes sewage, greywater and blackwater.
- 9.260B **Wastewater system**
means a system for the collection, treatment and disposal of wastewater. It includes on-site sewage treatment systems, and reticulated wastewater systems.
- 9.261 **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.
(c) Does not include water in any form while in any pipe, tank, or cistern.
- 9.262 **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.
- 9.263 **Water conservation order ***
Has the meaning set out in section 200 (of the RMA), and refers to a status applied to a water body which has significant environmental, or recreational values.
- 9.264 **Water harvesting ***
Means in terms of this Plan, the taking of water from rivers and streams during high flows and storing it to provide water for use in the dry season.
- 9.264A **Water Management Zone**
An area of the catchment as shown in Schedule XV that has defined surface water quality limits set out in Policy TT1 and Table 5.9.1A and 5.9.1B.
- 9.265 **Water table**
The layer of unconfined water. See also 'aquifer'.
- 9.266 **Wehi**
Awe, wonderment.
- 9.267 **Wet abrasive blasting**
See "abrasive blasting".
- 9.268 **Wetland**
1. in the RPS (only), it includes:
 (a) 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; and
 (b) those areas mapped in Schedule 24 (a to d) and commonly known as:
 i) Lake Whatuma (previously known as Hatuma);
 ii) Atua Road north swamp;
 iii) Wanstead Swamp;
 iv) Lake Poukawa.
2. in the regional plan (only), it 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, except for:
 (a) wet pasture or cropping land;
 (b) artificial wetlands specifically designed, installed and maintained for any of the following purposes:
 i) wastewater or stormwater treatment;
 ii) farm stock water dams, irrigation dams, and flood detention dams;
 iii) reservoirs, dams and other areas specifically designed and established for the construction and/or operation of a hydro-electric power scheme;
 iv) land drainage canals and drains;
 v) reservoirs for fire fighting, domestic or municipal supply;
 vi) beautification or recreation purposes.
- 9.269 **Whakapapa**
Kinship links established through genealogy.

- 9.270 **Whanau**
An extended family unit.
- 9.271 **Whanaungatanga**
Relationships; Tikanga Maori value concept for various relationships based on spiritual and physical origins of Maori.
- 9.272 **Wood**
Includes logs, sawn timber, bark, shavings, sawdust and wood chips.
- 9.272A **Wood burner**
means a small-scale solid fuel burner that burns wood, but does not include:
(a) an open fire; or
(b) a multi-fuel burner, a pellet burner, or a coal burner; or
(c) wood fired cooker
- 9.272B **Wood pellets**
means individual pellets of between 6 mm and 8 mm in diameter and a maximum length of 38 mm made from wood shavings or sawdust bonded together by the woods natural resins through the process of pelletisation. Wood pellets made using wood, wood shavings or sawdust that has been treated with preservatives or impregnated with chemicals are excluded from this definition, except for negligible amounts of antispain where, in the pellets⁵, the concentration of copper does not exceed 10 mg/kg dry, and the concentration of chlorine does not exceed 0.02 w-% dry⁶.
- 9.273 **Wood fired cooker**
means a wood fuelled cooking appliance containing an oven of not less than 20 L capacity and a hot plate and is specifically included on an approved wood fired cooker list⁷. A 'wood fired cooker' does not include a pot belly, chip heater or a wood burner.

⁵ Concentrations of copper and chlorine in a pellet shall be sampled, tested and reported in accordance with DIN51731:1996 or a similar method. DIN51731:1996 is a standard accepted in the European Union, where a 120kg sample is taken in irregular amounts over 5 consecutive working days; then that sample is split into thirds, leaving 1x40kg sample; then that 40kg sample is further split in 2 leaving 1x20kg sample; then that 20kg sample is split in 2 leaving 1x10kg sample for copper and chlorine concentration testing.

⁶ ie: $\leq 200\text{mg/kg}$ of dry pellets.

⁷ A list of approved wood fired cookers (i.e. those appliances that comply with the definition of 'wood fired cooker'); is available from the Hawke's Bay Regional Council on request.