

4 RURAL ZONE

4.1 INTRODUCTION

Central Hawke's Bay's significant natural resources are in the rural area. Water and soil resources allow for a variety of farming and forestry activities to take place. Cropping, livestock farming and horticulture predominate on the plains with livestock farming and forestry on the hill country.

The rural landscape varies considerably with geologically young coastal ranges, Ruataniwha plains formed by the Waipawa, Tuki Tuki, Tukipo and Makaretu Rivers; and the Ruahine Ranges on the western boundary of the District. A range of recreational activities in the rural area focus on the Tuki Tuki, Waipawa, and Porangahau Rivers, the Ruahine Ranges, and the coast.

Central Hawke's Bay has a range of indigenous plant communities, including mountain forests of the Ruahine Ranges, podocarp-broadleaf remnant forests on the plains and coastal ranges, and coastal wetland and dune communities.

ISSUES, OBJECTIVES AND POLICIES

4.2 ISSUE - Protecting the Rural Amenity and Quality of the Rural Environment

Rural activities unless properly managed can cause unpleasant conditions for rural residents, and adversely affect the quality of the rural environment.

Explanation

The Council supports the diversification or intensification of rural activities which enable people to provide for both their economic, social and cultural well being. To this end the Council supports a range of farming, forestry, residential, and other business activities in the rural area.

The Council is aware that diversification or intensification of farming, forestry, residential or other business activities in the rural area can result in adverse effects on amenity values. These values include scenery, ease of access, and low noise. Factory farming can be a problem because of odour from the disposal of livestock effluent. Other businesses have the potential to cause noise, dust or odour unless properly managed.

Land based gravel extraction has taken place despite the need to use gravel from some of the rivers to mitigate flood risk.

4.2.1 Objective - Rural Amenity and Quality of the Environment

A level of rural amenity which is consistent with the range of activities anticipated in the rural areas, but which does not create unpleasant conditions for the District's rural residents; or adversely affect the quality of the rural environment.

4.2.2 Policies

1. *To encourage a wide range of land uses and land management practices in the Rural Zone while maintaining rural amenity.*
2. *To require some activities to be setback from property boundaries so as to reduce the probability of neighbouring dwellings being exposed to adverse effects.*

3. *To maintain clear distinctions between the urban and rural areas through zoning and the provision of performance standards specific to the rural zone, to assist in protecting the character and quality of the surrounding rural areas.*
4. *To ensure there is a buffer between factory farming and other activities so as to avoid or mitigate adverse odour effects..*
5. *To encourage factory farming away from urban areas, so as to reduce the potential for conflict between these activities and urban activities.*
6. *To encourage the use of gravel from the rivers as a means to reduce the risk of flooding, subject to policies set out in the Hawke's Bay Regional Council's Regional Gravel Extraction Plan.*
7. *To avoid, remedy or mitigate adverse effects on the environment associated with gravel extraction outside the beds of rivers described in policy 6.*
8. *To encourage the protection of waahi tapu and other taonga by facilitating consultation between landowners and the Tangata Whenua should developments be proposed where values occur.*
9. *To obtain information on forestry development to assist planning for future roading and fire protection needs.*
10. *To require an application for a resource consent for mining activities so that adverse effects on the environment are avoided, remedied or mitigated.*
11. *To control the installation of septic tanks and other waste water treatment and disposal systems in order to mitigate potential health nuisances, odour and contamination of water.*
12. *To provide for the effective operation and development of Waipukurau Aerodrome while avoiding or mitigating adverse noise effects from the airfield operation.*

4.2.3 Implementation Methods

To achieve policies 1-12 through:

1. provision of performance standards to protect the amenity and environmental quality of the Rural Zone; and,
2. provision of noise standards for Waipukurau Aerodrome consistent with the overall approach of New Zealand Standard NZS 6805:1992, and the provision of building height restrictions adjacent to the runway for aviation safety.

4.2.4 Explanation and Reasons

The Council allows a full range of activities in rural areas providing performance standards are introduced to protect the rural and coastal environment. The scale of development will be controlled in relation to the size of the site to ensure adequate land is available to provide a buffer between the business and neighbours. Subdivision controls are necessary, but only to ensure that all lots can be adequately serviced and to ensure the setback for residential dwellings is compatible with the rural environment.

Advances in livestock management and effluent disposal in factory and intensive livestock farming reduce the potential for adverse odour affects on neighbours. However, adverse odour affects depend on management, or the sensitivity of the surrounding environment. The Council requires a

buffer between factory farming and other activities.

Many people in the rural areas are willing to accept a level of noise or odour associated with some factory farms, although these may be irritating or unacceptable to people living in urban areas. Accordingly, these activities will be discouraged near the urban environment.

Gravel extraction beyond the rivers is discouraged by Council as it can cause visual impacts, dust, traffic and noise nuisance. The Council encourages the extraction of gravel from certain rivers in the District to safeguard investment in flood protection works. Extraction of gravel is subject to the Regional Gravel Extraction Plan. The Plan controls commercial gravel extraction and mining to ensure the adverse effects relating to extraction and the carting of minerals and waste rock are avoided, remedied or mitigated.

Gathering information on forestry development is important to plan for the District's future roading needs and ensure that rural fire fighting measures are in place.

Where the Council knows of developments proposed in areas containing waahi tapu or other taonga it shall facilitate consultation between the developer and the Tangata Whenua to protect such values.

Modern design is required for all new septic tanks in the District so that the potential for health nuisances from uncontrolled seepages is reduced. Large-scale developments will require a discharge permit from the Hawke's Bay Regional Council.

Waipukurau aerodrome is used by aircraft for recreational or agricultural work. In its busy periods, it is realistic to expect some moderate aircraft noise beyond its boundary, potentially at levels that could adversely impact on people living nearby. The District Plan introduces specific noise and building provisions to allow the airfield to operate in an effective manner subject to the necessary constraints to protect the health and amenity of adjacent residents.

4.3 ISSUE - Soil Erosion

Bad land management practices can lead to increased land instability and soil erosion

Explanation

Much of the District's hill country is unstable. Soil erosion increased considerably earlier this century when forest and bush was cleared. Government concern about the increased erosion led to various statutes, such as the Water and Soil Conservation Act, to tackle the problem. The District should foster land management practises that reduce soil erosion. Wind erosion caused by cultivation of volcanic and alluvial soils is also an issue.

4.3.1 Objective - Soil Erosion

Land management practices within the District which minimise soil erosion.

4.3.2 Policies

1. To encourage liaison with other local authorities and organisations concerning research into land use and land management practices that sustain the District's soil resource.
2. To encourage further research on the degree to which poor land management practices may impact on the long-term sustainability of the soil resource, and also research into identifying the correct adjustments needed to minimise soil erosion.

3. To encourage and co-ordinate with other agencies the provision of information that promotes land management practices which do not cause accelerated erosion.

4.3.3 Implementation Methods

To achieve policies 1-3 through:

1. liaising with the Hawke's Bay Regional Council, Government Departments, and Research Institutes to ensure that research from these organisations increases knowledge about the degree to which poor land management practices may impact on the long-term sustainability of the District's soils and the correct adjustments needed to minimise the soil erosion; and,
2. disseminating research information useful to land stewardship groups or individual farmers.

4.3.4 Explanation and Reasons

It is important to safeguard the soil's life-supporting capacity and to sustain its potential to meet the needs for future generations. The Council seeks to achieve this by assisting farmers through supplying information and advice from professionals, which will encourage good land management practices. The Council will liaise with research organisations, particularly the Hawke's Bay Regional Council, to promote an integrated management approach to this issue.

4.4 ISSUE - Nature Conservation, Landscape Values, and Riparian Management

Conservation and landscape values and riparian areas need to be maintained or enhanced for future generations

Explanation

Despite continuing modification, the District has diverse indigenous flora and fauna in a variety of habitats. The Ruahine Range contains shrubland, forest as well as alpine vegetation. Much of this area is Crown land managed by the Department of Conservation. Further east, remnant forests, shrublands and wetlands occur throughout the hill country and plains through to the coast. These indigenous plants and animals may be under threat due to weed and pest invasion, habitat clearance, grazing or land disturbance.

Ecological surveys by the Department of Conservation have identified over 60 areas of natural significance which are representative of former plant and animal communities and habitats (outside the Ruahine Ranges) or are rare or unique within the District.

The District contains diverse landscapes, varying from the mountains of the Ruahines to rugged coastal seascapes and headlands. These landscapes are of significant value. Most experience of the landscape is gained from settlements and the main transport routes; however, an increasing number of visitors are exploring more remote locations. The landscapes are a draw-card for visitors. Accordingly, there is a need to protect the District's unique mixture of outstanding landscapes, for present and future generations.

Lakes, rivers, and the coast, and their margins are vital elements of the landscape and important habitats for indigenous flora and fauna. River systems provide birds and fish with essential pathways between the coastal and inland habitats, and provide valued fisheries. Lakes and rivers and their wetland margins moderate the effects of floods through their storage and transportation of water and sediment. For the same reason wetlands help maintain river and stream flows in summer.

The riparian zone provides a buffer for effects of non-point source discharges, and maintains and protects the stability of shorelines and stream banks, wildlife habitat and the natural character of rivers, lakes and the coast.

Many people have a special attachment to lakes and rivers and their margins, Tangata Whenua hold both a practical and spiritual relationship with them through their wahi tapu, wahi taonga and mahinga kai. Lakes, rivers and the coast, and their margins are valued for their amenity, landscape and recreation values.

4.4.1 Objectives

1. **Protection and enhancement of defined nature conservation areas, and outstanding landscapes views within the District.**
2. **The margins of wetlands, rivers, lakes and the coast are managed in order to preserve the natural character of these environments and the margins of identified river catchments are managed to enhance water quality.**

4.4.2 Policies

1. *To promote and facilitate the long-term protection of areas with significant conservation values by encouraging the Department of Conservation to pursue actively the implementation of the Protected Natural Areas programme through direct negotiations with the landholders concerned.*
2. *To identify through the District Plan sites, which have been recognised through any regional plans or national databases, reports, or through surveys conducted by the Council, as being areas of significant indigenous vegetation or habitat.*
3. *To encourage the voluntary protection of sites identified as having indigenous plants or animals of significant value. An example is the QE II National Trust covenant.*
4. *To discourage inappropriate development in sites identified as having rare, endangered, or vulnerable species of plants or animals of national significance, or indigenous plant or animal communities that are of significance to the nation.*
5. *To control activities which have the potential to adversely affect the natural character of coast which is an important contributor to the amenity of the District.*
6. *To control certain activities which have the potential to adversely affect area identified as having major viewing points to some outstanding landscapes in the District.*
7. *In conjunction with Hawke's Bay Regional Council, promote riparian management practices that enhance water quality in the district by the following means:*
 - i. *facilitate improved riparian management by educational means,*
 - ii. *set priorities as to which waterways in the District require riparian management programmes, and,*
 - iii. *determine the best methods to encourage protection of priority waterways.*

4.4.3 Implementation Methods

To achieve policies 1-6 through:

1. the use of incentives to protect areas of significant conservation values (incentives may include legal and survey costs or rates relief for covenanting, fencing costs, or public acquisition of land);
2. controlling by way of rules building development and tree planting in areas of outstanding landscape views and in the coastal environment, and the modification of indigenous vegetation in sites of significant conservation value; and,
3. to establish an operations plan for Council that takes into account indigenous plants and animals and water quality, and landscape values when carrying out roading construction or maintenance.

4.4.4 Explanation and Reasons

The District is fortunate that it still contains a number of sites of particular nature conservation value. Some of the 'areas' are on Crown land, whilst others are on private property. Consistent with section 6 (c) of the Act, the sites are listed in Appendix D and shown on the Planning Maps, or are identified through specific criteria in Performance Standard 4.9.13. Organisations such as the Department of Conservation are in the best position to protect such sites through negotiation, however, the Council will consider providing incentives to protect such values when the local community supports such protection. The QE II National Trust also promotes voluntary protection of nature conservation and open space values for the benefit and enjoyment of New Zealanders.

The coast and several landscape vistas contribute to the amenity of the District. The coast is that part of the environment that is viewed from the sea, and in which the coast is a significant element; while, the identified landscape vistas are viewed from nearby public roads. These areas are identified on the Planning Maps. Rules are introduced to control building development and the planting of trees because they may obstruct the views of these landscape vistas or compromise the natural character of the coast.

Both the Hawke's Bay Regional Council and this Council must consider riparian management issues for lakes and rivers. The Regional Council has completed a riparian management and protection study that has prioritised catchments most needing riparian management programmes. The catchments were prioritised on the basis of the low water quality and/or high recreation use in the river and/or catchments subject to land management/soil conservation programmes. The catchments containing the Mangakuri, Puhokio, and the Huatokitoki streams in the Central Hawke's Bay District have been given immediate priority by the study. The results of the Hawke's Bay Regional Council studies suggest the desirability of establishing buffer areas along these waterways.

4.5 ENVIRONMENTAL RESULTS ANTICIPATED

- The development and implementation, over time, of good land management practices and a corresponding decline in accelerated soil erosion.
- Retention of a lower density of development in the general rural area, without undue levels of complaints or conflicts relating to rural amenity.
- Retention of the amenities, quality and character of the different rural environments within the District.
- Maintenance of ground and surface water quality with respect to the discharge of domestic effluent and earthworks.
- Maintenance and enhancement of the District's landscape and conservation values.

RURAL ZONE RULES

Should you require a resource consent refer to Part 2: Information and Interpretation, and Part 14: Assessment Matters, for guidance.

4.6 ZONE STATEMENT

The Rural Zone covers those areas in the District where agricultural, horticultural, other farming activities and forestry are predominant. This reflects the varied physical geography, soils and availability of water. A wide range of activity is anticipated for the area although some restrictions apply to activities at the coastal margin and areas that provide outstanding landscape views.

4.7 DISTRICT-WIDE RULES

Attention is drawn to the following District-Wide Rules which may **also** apply in addition to any relevant Zone Rules to activities undertaken in the Rural Zone. Any one or more of the District-Wide Rules may require an activity to obtain a resource consent.

- Tangata Whenua Rules..... Refer Part 3.6
- Heritage Rules..... Refer Part 3.7
- Transport Rules Refer Part 8
- Subdivision and Development Rules Refer Part 9
- Utilities Rules Refer Part 10
- Sign Rules Refer Part 11
- Relocated Buildings and Temporary Buildings and Activities Refer Part 12
- Hazardous Substances..... Refer Part 13

Also Check to see if consents are required from the Hawke's Bay Regional Council on, for example, the following matters:

- discharges of contaminants to land or water (e.g. effluent)
- taking of water (e.g. from water courses or underground wells)
- discharge of spray drift or strongly odourous substances
- disturbance of the beds of rivers (i.e. gravel extraction)

4.8 ACTIVITIES

4.8.1 PERMITTED ACTIVITIES

The following activities shall be **Permitted Activities**, provided that they comply with all of the Performance Standards:

- (a) **Farming Activities**, except the farming of chinchilla and mustelids (including but not limited to fitch farming) within 5 km of the Ruahine State Forest Park and Scenic Reserves in the District.
- (b) **Factory Farming**, limited to:
 - i Factory farming of pigs limited to:
 - a) no more than 2000 pigs of mixed ages; and
 - b) housed pigs no closer than 100m to a property boundary.

- ii Factory farming of poultry limited to:
 - a) no more than 10,000 birds; and
 - b) housed birds no closer than 100m to a property boundary;
- (c) **Forestry Activities;**
- Note:** Logging of indigenous forest may require a permit under the Forest Act 1949. Contact the Ministry of Forestry for further information (but see performance standard 4.9.13).
- (d) **Community Activities;** except for Hospitals and Educational Facilities located within the 65 dBA Ldn airnoise boundary identified on Planning Map 30.
- (e) **Service Activities;**
- (f) **Commercial Activities;**
- (g) **Recreational Activities (other than on the surface of rivers and lakes);**
- (h) **Activities on the surface of rivers and lakes; except for the following:**
 - i motorised craft on any river upstream of the confluence of the Tukituki and Waipawa Rivers;
 - ii motorised craft on the Tukituki River downstream of the confluence of the Tukituki and Waipawa when the level of the Tukituki River is below 25m³ as estimated by the Hawke's Bay Regional Council's river level recorder at Shag Rock (NZMS 260, V22: 265-331).

Please note a flow estimate from the Shag Rock river recorder may be obtained by contacting the Hawke's Bay Regional Council. All persons intending to use the river must advise Central Hawke's Bay District Council staff.
 - iii motorised craft on Horseshoe Lake or Lake Hatuma with engine(s) exceeding 5 horsepower.
- (i) **Residential Activities;** except located within the 65 dBA Ldn airnoise boundary identified on Planning Map 30.
- (j) **Visitor Accommodation;** except located within the 65 dBA Ldn airnoise boundary identified on Planning Map 30.
- (k) **Home Occupations;**
- (l) **Gravel Extraction:**
 - i From the bed of a river, extraction of unlimited amounts of gravel is permitted for any purpose;

Note: Any gravel extraction from the bed of a river is subject to rules in the Hawke's Bay Regional Council's Regional River Bed Gravel Extraction Plan.

- ii From land (other than the bed of a river):
 - (a) Extraction of unlimited of gravel not extracted for the purposes of sale and used on the same property from which the gravel was extracted is permitted; and
 - (b) Extraction of up to 500 m³ of gravel in any 12 month period for the purposes of sale is permitted.
- (m) **Licensed Premises** established for any purpose, except that they shall be limited to the following hours of operation:
7am-11pm Sunday to Thursday
7am-1am Friday and Saturday

4.8.2 CONTROLLED ACTIVITIES

The following activities shall be **Controlled Activities**:

- (a) **Industrial Activities** provided that they met the performance standards for the zone; except for performance standard 4.9.4, 4.9.5 and 4.9.11.

The Council has reserved control over the following matters:

- i set back from internal boundaries;
 - ii any landscaping to be provided;
 - iii the screening of activities from neighbours.
 - iv noise, dust, glare, odour and vibration, and trade waste and solid waste.
- (b) **The keeping of more than 3 goats** (other than when formally identified in accordance with the Animal Identification Act 1993 and when confined by fencing complying with the descriptions in paragraphs 6,7 and 8 of the Second Schedule to the Fencing Act 1978), **chinchilla and mustelids** (including but not limited to fitch farming) within 5 km of the Ruahine State Forest Park and Scenic Reserves in the District.

The Council has reserved control over animal identification and over the methods (including animal enclosures) to ensure animals cannot accidentally escape.

- (c) **The planting of trees or the establishment of buildings** in areas identified on the Planning Maps as having outstanding landscape views, where such trees or buildings will obstruct views from a public road.

The Council's has reserved control over the following matters:

- i siting and layout of the tree planting;
- ii siting of the building.

4.8.3 DISCRETIONARY ACTIVITIES

The following activities shall be **Discretionary Activities**:

- (a) **Factory farming**; except where listed as a permitted activity and a non-complying activity;
- (b) **Mining Activities**;
- (c) **Gravel Extraction**, except where listed as a Permitted Activity;
- (d) **Activities on the surface of rivers and lakes**, except where listed as a permitted activity;
- (e) **Any Activity** which is listed as a Permitted Activity or a Controlled Activity but does not comply with any one or more of the relevant Performance Standards. The exercise of the Council's discretion shall be restricted to the matter(s) specified in the standard which is not complied with.
- (f) **Any Other Activity**, which is not listed as a Permitted Activity or a Controlled Activity or a Non-Complying Activity.

4.8.4 NON-COMPLYING ACTIVITIES

The following activities shall be **Non-Complying Activities**:

- (a) **Factory Farming** within 500 metres of a Residential, Business or Township Zone.

Exemption

Catteries and kennels for the boarding and breeding of cats and dogs for commercial purposes are discretionary activities (refer to rule 4.8.3 (a)).

4.8.5 PROHIBITED ACTIVITIES

- (a) **Residential Activities, Visitor Accommodation, Hospitals and Educational Facilities** located within the 65 dBA Ldn airnoise boundary identified on Planning Map 30.

4.9 PERFORMANCE STANDARDS

4.9.1 Building Coverage

The net area of any site covered by buildings and impervious surfaces shall not exceed 700m² or 7% of site area, which ever is the greater.

4.9.2 Height of Buildings

Maximum height of any building for an activity shall be 10m.

4.9.3 Recession Lines

- i No part of a building shall exceed a height of 2 metres plus the shortest horizontal distance between that part of the building and the nearest site boundary.

- ii Where an internal boundary of a site immediately adjoins an access or part of an access which is owned or partly owned with that site or has a registered right-of-way over it in favour of that site, the recession lines shall be constructed from the far side of the access.

4.9.4 Setback from Roads

- i The minimum setback for a residential unit shall be 5m;
- ii The minimum setback for any building for any other activity (including stockyards, and stock loading ramp\race) from road boundaries shall be 20m:

except that

buildings less than 10m² in gross floor area, and buildings used by Emergency Service Activities, may be located within the above setbacks from road boundaries.

4.9.5 Setback from Neighbours

Subject to any other rules for Rural Zone, the minimum setback of buildings for an activity from internal boundaries shall be:

- i residential units5m
- ii all other buildings10m

4.9.6 Domestic Waste Water Disposal

- i All buildings containing ablution facilities and which are not connected to a reticulated sewage system, shall have an on-site septic tank system, including an approved filter unit, or any equivalent system that complies with the Draft Australian\New Zealand Standard DR96034 or any subsequent final standard.

Please note that on-site waste water treatment and disposal will also need to comply with the relevant permitted activity rule in the Hawke's Bay Regional Council Proposed Regional Water Resources Plan. Any discharge unable to comply will need a discharge permit.

4.9.7 Factory Farming Effluent Disposal

No land shall be used for the disposal of piggery or poultry effluent forming part of a factory farming activity shall be undertaken:

- i within 500m of any Township or Residential Zone boundary;
- ii within 200 metres of a property boundary.

4.9.8 Electrical Safety Distances

Any activity, including the establishment of buildings and structures or any earthworks, within the vicinity of overhead electric lines shall comply with the New Zealand Electrical Code of Practice for Electrical Safety Distances (NZECP 34:1993).

4.9.9 Coastal Margin

The following standards shall apply to the Coastal Margin Area identified on the Planning Maps:

- i Exotic tree planting shall be limited to 1000m² per site over any 5 year period.
- ii Any building(s) shall be limited to a total gross floor area of 200m² per site.

4.9.10 Tree Planting

Setback from Neighbouring Properties

No tree planting, except for amenity tree planting, shall be located on, or within, 10metres of the boundary of any property under a separate Certificate of Title unless prior written permission has been obtained from the affected landowner. A copy of the written permission shall be forwarded to the Council and will be registered on the land information property records. (Note: Where written permission is not obtained within this zone tree planting shall be a discretionary activity with respect to this matter).

Setback from roads

No tree planting shall be positioned such that when the trees grow they will shade a public road between the hours of 10am and 2pm on the shortest day of the year.

Setback from residential units

No tree planting shall be positioned such that when the trees grow they will shade a residential unit on a neighbouring property between the hours of 9am and 4pm on the shortest day of the year.

Setback from stopbanks

No tree shall be planted within 6 metres of a flood protection stopbank.

4.9.11 Noise

On any site, activities, shall be conducted such that the following noise levels are not exceeded at nor within the notional boundary of any residential unit, other than residential units on the same site as the activity:

- 55dBA L10 - 6:00am - 11.00pm Monday to Saturday
- 45dBA L10 - at all other times
- 75dBA Lmax - at all other times

Exemptions

- i Residential, Farming and Forestry Activities shall be exempt from the above provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act.
- ii The 75dBA Lmax noise limit shall not apply to on-site sirens required by Service Emergency Service Activities, provided that the activity shall comply with the requirements of Section 16 of the Resource Management Act.

4.9.12 Setback From Fault Lines

No building for an activity shall be located within 20m of an earthquake fault line identified on the Planning Maps.

4.9.13 Areas of Significant Conservation Value

There shall be no modification to any “Site of Significant Conservation Value”

For the purposes of this performance standard a “Site of Significant Conservation Value” is either:

- i. identified in Appendix D, and on the Planning Maps, as being of significant conservation value; or,
- ii. any area of woody indigenous vegetation containing naturally occurring tree species, which attain at least 30 centimetres diameter at breast height at maturity, and is either:
 - (a) over one hectare and with an average canopy height over 6 metres; or
 - (b) over five hectares of any height.

For the purposes of this performance standard “modification” is deemed to exclude minor work.

Minor work is defined as:

- i. The disturbance or destruction of indigenous vegetation or habitat as a result of the maintenance or repair of existing roads, tracks, fences or drains.
- ii. The disturbance or destruction of indigenous vegetation or habitat in gullies as a consequence of the harvesting of plantation forestry activities; where the harvesting involves:
 - The lifting and/or dragging of logs, and/or
 - The construction and maintenance of forestry roads into gullies and culverts across streams

(providing that the above work does not occur in any block of indigenous vegetation that exceeds 5 hectares).

4.9.14 Noise from Waipukurau Aerodrome

- i. Noise from aircraft engines shall not exceed a limit of Ldn 65 dBA at any point outside the airnoise boundary shown on Planning Map 30.

Noise levels shall be measured and assessed in accordance with New Zealand Standard NZS 6805:1992.

- ii. Within 3 years from the date of the District Plan being made operative, the Central Hawke's Bay Aero Club (Incorporated) or its successor shall verify the modelled noise levels associated with the airnoise and the outer control boundaries identified on Planning Maps 30 and 32. This shall be completed in accordance with New Zealand Standard NZS 6805:1992 or any successor thereof and a copy given to the Council.

Note: Any owner that intends to build or alter a residential dwelling (or any other building that is to be used for a noise sensitive activity) located between the airnoise boundary and the outer control boundary shown on Planning Maps 30 and 32 is advised to noise proof the building. This is avoid the potential for noise nuisance from aircraft operations at Waipukurau aerodrome.

4.9.15 Buildings by Waipukurau Aerodrome

Notwithstanding the performance standards in relation to buildings set out in rule 4.9 there shall be:

- i no building for an activity in those areas specified as “No building zone” on Planning Map 30;
- ii no building for an activity that exceeds 6m or 10m in those areas specified as “Height Restriction of 6 metres” and as “Height Restriction of 10 metres” on Planning Maps 30 or 32;
- iii no building for an activity that exceeds a height restriction determined by a 1:20 approach and takeoff gradient for aircraft using the runways which are identified on Planning Map 30 at the Waipukurau Aerodrome.

4.10 NON-NOTIFIED RESOURCE CONSENTS

Resource consents under Rule 4.8.3(d) in relation to non-compliance with 4.8.1 (h) shall not be notified and the written approval of affected persons need not be obtained. Resource consents in relation to the following **Performance Standards** under Rule 4.9 shall not be notified and the written approval of affected persons need not be obtained (*Please also refer to section 2.1.4 of the Plan*):

4.9.4 Setback from roads

4.9.12 Setback from fault lines

4.9.13 Sites of Significant Conservation Value

Please Note:

Irrespective of any rules in this plan, enforcement provisions will be used under the Act where any activity produces vibration, smell, or dust or manufactures, stores, uses transports or disposes of hazardous substances, trade waste or solid waste in such a way that has or is likely to be either noxious, dangerous, offensive, objectionable, to such an extent that it has or is likely to have an adverse effect on the environment.