

Chapter 35 RURAL RESIDENTIAL ZONE – RULES

INTRODUCTION

This Chapter contains rules managing land uses in the Rural Residential Zone. The boundaries of this zone are shown on the Planning Maps. All rules apply throughout the Rural Residential Zone unless otherwise stated.

NOTE: The level of infrastructure in this zone will not correspond with the services of residential zones. The effects of future development in this zone will be remedied and mitigated where possible, but property owners should be aware that the infrastructure (including roads) will continue to be at a level that is commensurate with a rural environment.

35.1 Summary of Rural Residential Zone Rules

The following is a quick reference guide that summarises the Rural Residential Zone Activity Table and Condition Table. It is intended to be a guide only and should not be used in place of the Rural Residential Zone Activity Table and Condition Table elsewhere in this Chapter.

| Rule Number and Description | | Classification | Page Number |
|-----------------------------|--|--------------------------|-------------|
| Rule 35.2 | Agricultural, horticultural and viticultural activities. | Permitted | 3 |
| Rule 35.3 | Commercial forestry. | Permitted | 3 |
| Rule 35.4 | Feedlots. | Permitted | 3 |
| Rule 35.5 | Landfills. | Permitted | 4 |
| Rule 35.6 | Residential activities. | Permitted | 4 |
| Rule 35.7 | Home occupations. | Permitted | 4 |
| Rule 35.8 | Supplementary Unit, Residential Care Facilities, Day Care Centres, Education Facilities and Travellers' Accommodation or Seasonal Workers Accommodation. | Permitted | 5 |
| Rule 35.9 | Scheduled sites. | Permitted | 5 |
| Rule 35.10 | Land development (including subdivision). | Controlled | 5 |
| Rule 35.11 | Relocation of a building from another site. | Controlled | 6 |
| Rule 35.12 | Any subdivision, use or development of land referred to in Rules 35.2 to 35.16 that does not comply with all the relevant conditions, unless stated by a rule elsewhere in this Chapter. | Restricted Discretionary | 6 |
| Rule 35.13(a) | Commercial activities. | Discretionary | 7 |
| Rule 35.13(b) | Roadside stalls. | Discretionary | 7 |
| Rule 35.13(c) | Industrial activities. | Discretionary | 7 |
| Rule 35.13(d) | Rural processing industries. | Discretionary | 7 |
| Rule 35.13(e) | Factory farming. | Discretionary | 7 |
| Rule 35.13(f) | Mining and quarrying. | Discretionary | 7 |
| Rule 35.13(g) | Places of assembly, unless stated by a rule elsewhere within this Chapter. | Discretionary | 7 |
| Rule 35.13(h) | Retirement complexes. | Discretionary | 7 |

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| Rule 35.13(i) | Camping grounds. | Discretionary | 7 |
| Rule 35.13(j) | Use of explosives, other than for temporary military training purposes. | Discretionary | 7 |
| Rule 35.13(k) | Any business of prostitution | Discretionary | 7 |
| Rule 35.13(l) | Any boundary adjustment that does not comply with the minimum lot size and/or minimum average lot size specified in Chapter 66 of this Plan. | Discretionary | 7 |
| Rule 35.14(a) | A supplementary unit, residential care facility, day care centre, education facility, travellers' accommodation or seasonal workers accommodation that does not comply with all the relevant conditions. | Non-Complying | 7 |
| Rule 35.14(b) | Any land use that does not comply with Condition 35.20 – Density. | Non-Complying | 7 |
| Rule 35.14(c) | Any subdivision (excluding any boundary adjustment) that does not comply with the minimum lot size and/or minimum average lot size specified in Chapter 66 of this Plan. | Non-Complying | 7 |
| Rule 35.14(d) | Any land use not identified in the Rural Residential Zone – Activity Table as a permitted activity, a controlled activity, a restricted discretionary activity, a discretionary activity, or a prohibited activity. | Non-Complying | 7 |

RURAL RESIDENTIAL ZONE – ACTIVITY TABLE

| PERMITTED ACTIVITIES | Matters the Council will restrict its discretion to for restricted discretionary activities. |
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| <p>35.2 Agricultural, Horticultural and Viticultural Activities</p> <p>1. Any agricultural, horticultural and viticultural activity is a permitted activity provided that it complies in all respects with the relevant conditions in the Rural Residential Zone Activity Table and Condition Table.</p> | <p>The Council will restrict its discretion to the matters referred to in Rule 35.17.</p> |
| <p>35.3 Commercial Forestry</p> <p>1. Any commercial forestry, including any consequential land preparation or harvesting activities is a permitted activity provided that:</p> <p>a) The commercial forestry, including any consequential land preparation or harvesting activities must not be located within 10 metres of a site boundary adjoining a State Highway and 5 metres from all other site boundaries.</p> <p>b) The commercial forestry, including any consequential land preparation or harvesting activities must not be undertaken within:</p> <p>i) 20 metres from the edge of the Ahuriri Estuary.</p> <p>ii) 20 metres from the edge of the Taipo Stream.</p> <p>c) It complies with the relevant conditions in the Rural Residential Zone activity table and condition table.</p> | <p>The Council will exercise its discretion over the matters referred to in Rule 35.17, including the assessment criteria specified in Chapter 39 of this Plan and the following:</p> <ul style="list-style-type: none"> - The effects on rural character. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic safety. - The type, frequency and timing of traffic. - The effects of shading. - The effects on stream flows and downstream water use. |
| <p>35.4 Feedlots</p> <p>1. A feedlot is a permitted activity provided that:</p> <p>a) The feedlot must not be within 500 metres of the notional boundary of any existing dwelling unit in a rural environment, or the site boundary of any existing dwelling unit in a residential environment or rural settlement zone, other than any dwelling unit on the site of the feedlot.</p> <p>b) The feedlot must not be within 500 metres of any land administered under the Conservation Act 1987 or any Act referred to in the First Schedule of that Act.</p> <p>c) The requirements of the Hawke's Bay Regional Council Resource Management Plan must be complied with.</p> <p>d) The feedlot must comply in all respects with the relevant conditions in the Rural Residential Zone activity table and condition table.</p> | <p>The Council will restrict its discretion to the matters referred to in Rule 35.17, including the following:</p> <ul style="list-style-type: none"> - The effects on the character of the area. - The effects of noise. - The effects of odour. - The effects of waste and effluent. - The effects on amenity values. - The effects of traffic generated by the feedlot on the roading network. - The effects on the conservation value of the land and any adjacent land. |

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| <p>35.5 Landfills</p> <p>1. Landfills are a permitted activity provided that:</p> <ul style="list-style-type: none"> a) The total volume is less than 100m³ per site per year. b) The material must have been generated on the subject property; or on another property under the same ownership as that used for disposal. c) There must be no disposal of waste oil or other hazardous substances. d) It must not be located within 20m of any water body. e) It must not be located within 30m of any bore or well. f) Any waste disposal must be no less than 600mm above the winter groundwater table. g) It must comply in all respects with the relevant conditions in the Rural Residential Zone activity table and condition table. <p>NOTE: The discharge of contaminants onto or into land or into water is regulated by the Hawke's Bay Regional Council and may require resource consent approval. Consultation with HBRC is advised prior to the establishment of any landfill.</p> | <p>The Council will restrict its discretion to the matters referred to in Rule 35.17, including the following:</p> <ul style="list-style-type: none"> - The cumulative effect of and additional landfill on the environment. - The availability of alternative methods for disposing of the materials. - Proximity to a residential dwelling and any nuisance effects on that dwelling. - Any adverse effect on flora and fauna and any ecosystem. - Any adverse effects on the quality of soil. - Any effects on groundwater quality. |
| <p>35.6 Residential Activities</p> <p>1. Any residential activity is a permitted activity provided that</p> <p>It complies in all respects with the relevant conditions in the Rural Residential Zone activity table and condition table.</p> <ul style="list-style-type: none"> b) It is not stated by a rule elsewhere in this Chapter as a controlled activity, a restricted discretionary activity, a discretionary activity or a prohibited activity. | <p>The Council will restrict its discretion to the matters referred to in Rule 35.17, including the following:</p> <ul style="list-style-type: none"> - The effects on rural character. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic safety. - The type, frequency and timing of traffic. - The effects on matters of reverse sensitivity. |
| <p>35.7 Home Occupations</p> <p>1. A home occupation is a permitted activity provided that:</p> <ul style="list-style-type: none"> a) Not more than three full time equivalent jobs are created for persons residing outside the dwelling unit. b) At all times, the home occupation must remain incidental and secondary to the use of any buildings for residential purposes. c) The maximum area of the home occupation must not exceed 30% of the gross floor area of the dwelling unit if located within the dwelling unit and/or 80m² if located in an accessory building. d) Any external storage associated with the home occupation must be screened from view of any adjacent sites and public open space. e) Retailing of goods must not occur from the site. f) The home occupation must comply in all respects with the relevant conditions in the Rural Residential Zone activity table and condition table. <p>2. Any home occupation used for the purposes of a business of prostitution that does not comply with all of the relevant conditions is a discretionary activity. (Refer Rule 35.18).</p> | <p>The Council will restrict its discretion to the matters referred to in Rule 35.17, including the following:</p> <ul style="list-style-type: none"> - The effects on rural character. - The effects on public health and safety. - The effects on amenity values. - The effects on traffic safety. - The type, frequency and timing of traffic. - The effects on matters of reverse sensitivity. |

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| <p>35.8 Supplementary Units, Residential Care Facilities, Day Care Centres, Education Facilities, Travellers' Accommodation, and seasonal Workers Accommodation.</p> <p>Any one or more of the following are permitted activities:</p> <ol style="list-style-type: none"> 1. A supplementary unit 2. A residential care facility, catering for up to 10 residents 3. A day care centre, catering for up to 10 people¹ 4. An education facility, catering for up to 10 students 5. Travellers accommodation catering for up to 5 guests¹ 6. Seasonal Workers Accommodation <p>Provided that:</p> <ol style="list-style-type: none"> a) A maximum of one of each of these activities shall be undertaken on any site. b) The combined gross floor area of these activities must not exceed 80m² (per site, not per activity)^{1 & 2}. c) Any outdoor storage associated with these activities must be screened from view of any adjacent sites and public open space. d) These activities shall share access with any primary dwelling onsite. e) Any building utilised for these activities shall be located a maximum of 25 metres from the primary dwelling. f) Any building associated with seasonal workers accommodation shall be sited a minimum of 15 metres from any road or adjoining property boundary. g) These activities shall comply in all respects with the relevant conditions in the Main Residential Zone activity and condition table <p>Note 1: Travellers Accommodation or Day Care Centre within an existing dwelling will be exempt from the 80m² maximum floor area, provided that the existing residential activity does not cease. Seasonal Workers Accommodation within an existing dwelling will be exempt from the 80m² maximum floor area.</p> <p>Note 2: Seasonal Workers Accommodation - refer to the definition for clarification as to what is included within the gross floor area.</p> | <p>NOTE: A supplementary unit, residential care facility, day care centre, education facility, travellers' accommodation or seasonal workers accommodation that does not comply in all respects with the relevant conditions is a non-complying activity. Refer to Rule 35.14(1)(a)</p> |
| <p>35.9 Scheduled Sites</p> <ol style="list-style-type: none"> 1. Any scheduled land use on a scheduled site is permitted provided that: <ol style="list-style-type: none"> a) It complies in all respects with the rules in Chapter 55 (Scheduled Sites). | <p>The Council will restrict its discretion to the matters referred to in Chapter 55 (Scheduled Sites) of this Plan.</p> |
| <p>CONTROLLED ACTIVITIES</p> | <p>Matters the Council will restrict its discretion to for restricted discretionary activities.</p> |
| <p>35.10 Land Development (including Subdivision, but excluding Multi Unit Development)</p> <ol style="list-style-type: none"> 1. Land development, including subdivision but excluding multi-unit development, is a controlled activity provided that: <ol style="list-style-type: none"> a) It complies in all respects with the standards and terms specified | <p>The Council will exercise its discretion over the assessment criteria specified in Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan.</p> |

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| <p>in Chapter 66 (Volume II) of this Plan.</p> <p>b) It complies in all respects with the relevant conditions in the Rural Residential Activity Table and Condition Table.</p> <p>c) That it is assessed according to the matters in Chapter 66 (Volume II) over which the Council has reserved its control.</p> <p>2. Applications for resource consent will not be publicly notified in respect of land development (including subdivision) that fully complies with the standards and terms, and notice of applications need not be served.</p> | |
| <p>35.11 Relocation of Buildings</p> <p>1. Relocation of a building from another site is a controlled activity provided that:</p> <p>a) The relocation of the building complies in all respects with the relevant conditions specified elsewhere in the Rural Residential Zone activity table and condition table.</p> <p>b) A written assessment must be submitted with each application which must:</p> <p>i) Include a statement from a building certifier or registered engineer that the building is structurally sound.</p> <p>ii) State the condition of the building and the reinstatement works needed to bring the building up to an external visual appearance that is compatible with other buildings in the vicinity.</p> <p>iii) State the proposed timetable to complete external reinstatement of the building within 12 months from the date of consent.</p> <p>iv) Provide clear photographs of the building in its current state.</p> <p>v) Provide such plans and elevations of the building as are necessary to illustrate the new site location and likely external design and appearance of the building as a result of reinstatement work.</p> <p>The Council shall exercise its control over the following:</p> <p>c) The design, materials and timetable of the proposed reinstatement works.</p> <p>d) The imposition of any financial contributions in accordance with Chapter 65 (Financial Contributions) of this Plan.</p> <p>e) The imposition of a performance bond to complete the reinstatement of the building.</p> <p>2. Applications for resource consent will not be publicly notified in respect of relocated buildings that fully comply with the standards and terms, and notice of applications need not be served.</p> | <p>The Council will restrict its discretion to the matters referred to in Rule 35.17, including the following:</p> <ul style="list-style-type: none"> - The structural integrity of the building. - The imposition of a performance bond. - The timing of reinstatement works. - The effects on the built character of the surrounding area. - The effects on amenity values. - The effects on infrastructural services. |
| <p>RESTRICTED DISCRETIONARY ACTIVITIES</p> | <p>Matters the Council will restrict its discretion to for restricted discretionary activities.</p> |
| <p>35.12 Land Uses Not Complying With Conditions</p> <p>1. Any subdivision, use or development of land in rules 35.2 to 35.16 that does not comply with all of the relevant conditions in the Rural Residential Zone activity table and condition table, is a restricted discretionary activity, unless stated by a Rule elsewhere in this Chapter.</p> <p>NOTE: Any subdivision that does not comply with the minimum lot size and/or minimum average lot size specified in Chapter 66 of this</p> | <p>The Council will have regard to the relevant objectives and policies of the Plan and will restrict its discretion to:</p> <ul style="list-style-type: none"> - The matters identified in the second column of the Rural Residential Zone activity table and/or condition table. - The cumulative effect of non-compliance with more than one condition. - In respect of a controlled activity failing to comply |

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| <p>plan is a Non-Complying Activity under Rule 35.14 (c). Any boundary adjustment that does not comply with the minimum lot size and/or minimum average lot size specified in Chapter 66 of the plan is a Discretionary Activity under Rule 35.13(l).</p> <p>NOTE: Refer to Chapter 53 Network Utilities for Subdivision for the Purposes of a Network Utility Operation.</p> | <p>with all of the relevant conditions, those matters the Council had reserved its control over.</p> <ul style="list-style-type: none"> - The matters set out in Chapter 1.6.5. - The assessment criteria in Chapter 39 of this Plan where applicable. |
| DISCRETIONARY ACTIVITIES | |
| <p>35.13 Discretionary Activities</p> <p>1. The following land uses are discretionary activities. A resource consent application must be made and consent may be declined or granted with or without conditions. The Council will have regard to the objectives and policies of this Plan and the assessment criteria in Chapter 39. The Council's discretion is unrestricted.</p> <ul style="list-style-type: none"> a) Commercial activities. b) Roadside stalls. c) Industrial activities. d) Rural processing industries. e) Factory farming. f) Mining and quarrying. g) Places of assembly, unless stated by a rule elsewhere in this Chapter. h) Retirement complexes. i) Camping grounds. j) Use of explosives, other than for temporary military training purposes. k) Any business of prostitution (including those that do not comply with all of the relevant conditions as a Home Occupation). l) A boundary adjustment that does not comply with the minimum lot size and /or minimum average lot size specified in Chapter 66 of the Plan. | |
| NON-COMPLYING ACTIVITIES | |
| <p>35.14 Non-Complying Activities</p> <p>1. The following are non-complying activities.</p> <ul style="list-style-type: none"> a) A supplementary unit, residential care facility, day care centre, education facility, travellers' accommodation or seasonal workers accommodation that does not comply with all the relevant conditions. b) Any land use that does not comply with Condition 35.16 – Density. c) Any subdivision of land (excluding any boundary adjustment) that does not comply with the minimum lot size and /or minimum average lot size specified in Chapter 66 of this Plan. d) Any land use not identified in this Plan as a permitted activity, a controlled activity, a restricted discretionary activity, a discretionary activity, or a prohibited activity. | |
| PROHIBITED ACTIVITIES | |
| <p>35.15 Prohibited Activities</p> <p>1. There are no land uses that are a prohibited activity within the Rural Residential Zone.</p> | |

RURAL RESIDENTIAL ZONE – CONDITION TABLE

| CONDITIONS FOR PERMITTED ACTIVITIES AND CONTROLLED ACTIVITIES | Matters the Council will restrict its discretion to for restricted discretionary activities. |
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| <p>35.16 Density</p> <p>1. The following density conditions shall apply to all land uses:</p> <p>a) The maximum density must not exceed one dwelling unit per site, except that:</p> <ul style="list-style-type: none"> • One dwelling unit per site, provided the net site area is not less than 2,500m². • One dwelling unit and one building used for the purpose of carrying out one of the ancillary non-rural activities identified in Rule 35.8 per site, provided the net site area is not less than 5,000m². | <p>Matters:</p> <ul style="list-style-type: none"> - The effects on amenity values. - The effects on the rural character of the area. - The effects on infrastructural servicing. |
| <p>35.17 Yards</p> <p>1. The following yard conditions shall apply to all land uses:</p> <p>a) Front Yard:</p> <p>Any part of any building (including eaves and guttering) must not be erected closer than 7.5 metres to the road boundary.</p> <p>b) Side and Rear Yards</p> <p>i) Any part of a building must not be erected closer than 6 metres from any side or rear site boundary.</p> <p>ii) Any building (including eaves and guttering), fence, permanently fixed structure or part thereof must not be erected closer than 6 metres from the top of the bank of any watercourse or open drain.</p> <p>Provided that:</p> <p>iii) There must be no building located within 30 metres of the landward toe of any stopbank.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The effects on the amenity values of the rural area. - The effects on the open rural character of the zone. - The effects of noise. - The effects of odour. - The visual effects. - The effects on the safety of people and property. - The effects on the maintenance, use and development of a watercourse or open drain. |
| <p>35.18 Height</p> <p>1. The following maximum height conditions shall apply to all land uses, other than aerials, lines and support structures:</p> <p>a) Any part of a building or structure must not exceed 9 metres in height, except that:</p> <p>b) Any part of a building or structure must not exceed the Airport Height Control Designation in Appendix 7, except where located in a Surface Penetration Area, where the maximum height shall not exceed 9 metres.</p> <p>c) Where there is conflict between any of the height control lines or limits above, the lowest height must prevail.</p> <p>d) Where the Airport Height Control Designation prevails in accordance with Rule 35.22.1(c):</p> <p>i) Any application for a building consent must be accompanied by a registered surveyor's certificate verifying that the building plans meet the Airport Height Control Designation in Appendix 7.</p> <p>ii) Prior to a person requesting a Certificate of Compliance, a</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The scale and bulk of the building or structure in relation to the site. - The extent to which the effects of the height can be mitigated by setbacks, planting, design or topography of the site. - The effects on landscape values. - The effects of shading. - The effects on amenity values. - The effects on air traffic safety. |

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| <p>registered surveyor's certificate must be supplied, verifying compliance with the Airport Height Control Designation in Appendix 7.</p> <p>e) Height must be measured using the rolling height method.</p> | | | | | | | | | | | |
| <p>35.19 Site Coverage</p> <p>1. The following site coverage conditions shall apply to all land uses:</p> <p>a) The maximum site coverage (measured from gross building area) is 1000m² or 10% of the net site area, whichever is the lesser.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The scale and bulk of the building in relation to the site. - The existing built density of the area. - The control of stormwater runoff. | | | | | | | | | | |
| <p>35.20 Noise</p> <p>1. The following noise conditions shall apply to all land uses, other than those exempted in Rule 57.9:</p> <p>a) The following noise limits must not be exceeded at any point within the notional boundary of any dwelling unit on any other site within a rural environment, or at any point within any Residential Environment, Rural Settlement Zone, Lifestyle Character Zone or Jervoisstown Zone, except where expressly provided for elsewhere in this Plan:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%;">Control Hours</td> <td style="width: 50%;">Noise Level</td> </tr> <tr> <td>0700 to 1900 hours</td> <td>55 dB LAeq (15 min)</td> </tr> <tr> <td>1900 to 2200 hours</td> <td>50 dB LAeq (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>45 dB LAeq (15 min)</td> </tr> <tr> <td>2200 to 0700 hours the following day</td> <td>75 dB LAFmax</td> </tr> </table> <p>b) Audible Bird Scaring Devices – Refer to Rule 57.17.</p> <p>c) All land uses must comply in all respects with the relevant conditions in Chapter 57 (Noise) of this Plan.</p> | Control Hours | Noise Level | 0700 to 1900 hours | 55 dB LAeq (15 min) | 1900 to 2200 hours | 50 dB LAeq (15 min) | 2200 to 0700 hours the following day | 45 dB LAeq (15 min) | 2200 to 0700 hours the following day | 75 dB LAFmax | <p>Matters:</p> <ul style="list-style-type: none"> - The sound level likely to be generated. - The nature and frequency of the noise including any special audible characteristics. - The compatibility within the neighbourhood. - The effects of noise on amenity values. - The length of time for which specified noise levels is exceeded, especially at night. - The likely adverse effects on-site and beyond the site. - The mitigation measures to reduce noise generation. - Matters referred to in Chapter 57 (Noise). |
| Control Hours | Noise Level | | | | | | | | | | |
| 0700 to 1900 hours | 55 dB LAeq (15 min) | | | | | | | | | | |
| 1900 to 2200 hours | 50 dB LAeq (15 min) | | | | | | | | | | |
| 2200 to 0700 hours the following day | 45 dB LAeq (15 min) | | | | | | | | | | |
| 2200 to 0700 hours the following day | 75 dB LAFmax | | | | | | | | | | |
| <p>35.21 Light Spill</p> <p>1. The following light spill condition shall apply to all land uses other than for the purposes of illuminating a road:</p> <p>a) Between the hours of 2200 and 0700 the following day, outdoor lighting must not cause an added illuminance of excess of 15 lux, measured horizontally or vertically as an average (at a height of 1.5 metres above ground level) at any point beyond the zone boundary.</p> <p>b) Between the hours of 2200 and 0700 the following day, outdoor lighting must not cause an added illuminance in excess of 10 lux, measured horizontally or vertically as an average (at any window of a habitable space in a building within a residential zone or a rural settlement zone).</p> <p>c) The outdoor lighting must be so selected, located aimed, adjusted, screened and maintained to ensure that glare resulting from the lighting does not cause significant adverse effects on the occupants of residential activities, road users or aircraft.</p> <p>NOTE: Where the measurement of any added illuminance cannot be made because any person refuses to turn off outdoor lighting, measurements may be made in locations which the Council considers is of a similar nature which are not affected by such outdoor lighting. Those measurements may be used to determine the added illuminance, if any, of the subject lighting. Measurement should be made in clear sky conditions, or should take into account the effect of weather conditions on illuminance.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The orientation, strength, intensity, colour and frequency of any light. - The effects on traffic safety. - The positive effects on pedestrian safety. - The effects on amenity values. - The effects on the health, safety, security and wellbeing of people. | | | | | | | | | | |

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| <p>35.22 Vibration</p> <p>1. The following vibration conditions shall apply to all land uses:</p> <p>a) Any land use must not generate a vibration that causes an unreasonable adverse effect on any adjacent land use.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The effect on public health and safety. - The effects on the structural integrity of adjacent buildings and facilities. - The effect on amenity values . |
| <p>35.23 Odour and Dust</p> <p>NOTE: The discharge of contaminants (including odour and dust) onto or into air, land or water is regulated by the Hawke's Bay Regional Resource Management Plan and may require resource consent approval. Contact the Hawke's Bay Regional Council for advice.</p> | |
| <p>35.24 Fences</p> <p>1. Any fence erected within front, side and rear yards must not exceed 2 metres in height.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The effects of shading. - The effects on amenity values. -The effects on public health and safety. |
| <p>35.25 Aerials, Lines and Support Structures & Trees</p> <p>1. The following conditions shall apply to all aerials, lines and support structures other than for the purposes of a network utility operation:</p> <p>a) Aerials, lines and/or support structures, and trees must not exceed the Airport Height Control Designation in Appendix 7, except where located in a Surface Penetration Area, where the maximum height shall not exceed 15 metres.</p> <p>b) Aerials, lines and/or support structures must not exceed 15 metres in height.</p> <p>c) Where there is conflict between any of the height control lines or limits in (a) and (b) above, the lowest height must prevail.</p> <p>d) Dish antenna must not exceed 1.2 metres in diameter.</p> <p>e) Where an aerial, line or support structure exceeds 7 metres in height above the point of its attachment or base support, it must also comply with the following conditions:</p> <p>i) The distance from the centre to the furthest element tip must not exceed 7.5 metres in a horizontal direction.</p> <p>ii) There is only one such structure on the site.</p> <p>f) The aerial, line and/or support structure must comply with the conditions relating to yards in the Rural Residential Zone condition table.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The effects on amenity values. - The scale in relation to adjacent buildings. - The bulk and form of the aerial, line and/or supporting structures. - The effects of shading. - The extent to which heritage or cultural values are adversely affected. - The cumulative effect of additional aerials, lines and/or support structures. - The prominence of the site taking into account significant public views and any significant landscapes. - The effects on public health and safety. - The effects on air traffic safety. |
| <p>35.26 Trees</p> <p>1. The following conditions shall apply to all shelterbelts and plantations:</p> <p>a) Any shelterbelt or plantation greater than 20 metres in length must not be planted within 5 metres of any site boundary, except that:</p> <p>i) Shelterbelts or plantations may be planted within 5 metres of any site boundary, provided that the shelterbelts and/or plantations are maintained at a height not exceeding 9 metres.</p> <p>2. The relevant provisions of Chapter 60 (Trees) of this Plan must be complied with.</p> | <p>Matters:</p> <ul style="list-style-type: none"> - The effects of shading. - The effects on visibility. - The effects on traffic safety. - The effects on aviation flight paths - The positive effects of trees on the environment. |
| <p>35.27 Heritage</p> | <p>Matters:</p> |

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| 1. The relevant provisions of Chapter 56 (Heritage) of this Plan must be complied with. | Refer to Chapter 56 (Heritage) of this Plan. |
| 35.28 Earthworks 1. The relevant provisions of Chapter 52A (Earthworks) of this Plan must be complied with. | Matters: Refer to Chapter 52A (Earthworks) of this Plan. |
| 35.29 Signs 1. The relevant provisions of Chapter 58 (Signs) of this Plan must be complied with. | Matters: Refer to Chapter 58 (Signs) of this Plan. |
| 35.30 Transport 1. The relevant provisions of Chapter 61 (Transport) of this Plan must be complied with. | Matters: Refer to matters in Chapter 61 (Transport) of this Plan. |
| 35.31 Natural Hazards 1. The relevant provisions of Chapter 62 (Natural Hazards) of this Plan must be complied with. | Matters: Refer to Chapter 62 (Natural Hazards) of this Plan. |
| 35.32 Hazardous Substances 1. The relevant provisions of Chapter 63 (Hazardous Substances) of this Plan must be complied with. | Matters: Refer to Chapter 63 (Hazardous Substances) of this Plan. |
| 35.33 Contaminated Sites 1. The relevant provisions of Chapter 64 (Contaminated Sites) of this Plan must be complied with. | Matters: Refer to Chapter 64 (Contaminated Sites) of this Plan. |
| 35.34 Activities on the Surface of Water 1. The relevant provisions of Chapter 62A (Activities on the Surface of Water) of this Plan must be complied with. | Matters: Refer to Chapter 62A (Activities on the Surface of Water) of this Plan. |
| 35.35 Financial Contributions 1. The relevant provisions of Chapter 65 (Financial Contributions) of this Plan must be complied with. | Matters: Refer to Chapter 65 (Financial Contributions) of this Plan. |
| 35.36 Code of Practice for Subdivision and Land Development 1. The relevant provisions of Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan must be complied with. NOTE: 1. The following minimum lot size shall apply within this zone: a) 5000m ² minimum lot size with a minimum average lot size of 1.5 hectares. The minimum average lot size, shall be calculated using the parent lot in existence as at 11 November 2000. This parent lot will be the base for any further proposed subdivision 2. Volume 2 of the Plan contains relevant Objectives, Policies, Rules and other issues associated with the subdivision of land and must be read in conjunction with this provision. | Matters: Refer to Chapter 66 (Volume II - Code of Practice for Subdivision and Land Development) of this Plan. |