

18. GREENBELT RESIDENTIAL ZONE

18.1 PERMITTED ACTIVITIES

The following activity is a permitted activity in the Greenbelt Residential Zone provided:

- It is not a discretionary, restricted discretionary, controlled, or non-complying activity; and
 - It complies with all relevant conditions in Rule 18.6 below and Chapters 21, 22, 23 and 24 and the definitions in Chapter 26 where applicable.
- (a) Residential activities.
 - (b) One Residential dwelling unit and one family flat per lot.
 - (c) Accessory buildings.
 - (d) Visitor accommodation for up to four persons within a residential dwelling unit.
 - (e) Home occupations.
 - (f) Primary productive activities.
 - (g) Open space.
 - (h) Temporary activities and buildings associated with that activity.
 - (i) Use of community facilities in existence at 1 August 1996 (including education facilities and grounds) for community activities including services having a social, community, ceremonial, cultural, educational, recreational, worship, or spiritual purpose.
 - (j) Network utilities and any structures associated with network utilities.
 - (k) Activities for soil conservation, erosion protection, river control or flood protection works undertaken by, or supervised by, the Horizons Regional Council or other agencies including Tangata Whenua responsible for the management of these works and activities.
 - (l) Temporary military training activities.
 - (m) Advertising signs located on the site to which the activity relates.
 - (n) Official signs.
 - (o) The clearance, modification, damage, destruction or removal of indigenous vegetation or habitats of indigenous fauna.
 - (p) The minor trimming and maintenance of a Scheduled Notable Tree in order to maintain its state of health.

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- (q) The removal of a Scheduled Notable Tree by Council where this is required as an emergency work.
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18.2 CONTROLLED ACTIVITIES

The following shall be controlled activities in the Greenbelt Residential Zone:

- (a) Any subdivision of land (Refer Rule 18.7.1 and 18.7.2), except subdivision (other than a boundary adjustment or the creation of an allotment that is for the exclusive use of a network utility) in the Greenbelt Residential (Foxton Beach North Overlay) Zone.
 - (b) The placement of any Relocated residential dwelling unit and/or accessory building on any site (Refer Rule 18.7.3).
 - (c) Any Temporary Military Training activities that is not a permitted activity (Refer Rule 18.7.4).
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18.3 RESTRICTED DISCRETIONARY ACTIVITIES

- (a) Any permitted or controlled activity which fails to comply with any condition in Rules 18.6 and 18.7 and Chapters 21-24 and Chapter 28 of this Plan shall be a restricted discretionary activity, except where those activities are listed as a discretionary or non-complying activity.
 - (b) Subdivision in the Greenbelt Residential (Foxton Beach North Overlay) Zone that is not a controlled activity and that complies with the applicable conditions in Rule 18.8(h). The Department of Conservation must be notified of any subdivision application subject to this rule but otherwise the notification provisions of the Resource Management Act 1991 shall apply.
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18.4 DISCRETIONARY ACTIVITIES

- (a) Any activity that is not a permitted, controlled, restricted discretionary, activity, or a non-complying activity is a discretionary activity.
 - (b) Intensive farming.
 - (c) Any subdivision that does not comply with the conditions for Controlled Activities in Rule 18.7.2, with the exception of subdivision in the Greenbelt Residential Waitarere Rise overlay that does not comply with Rule 18.7.2(a) and subdivision in the Greenbelt Residential (Foxton Beach North Overlay) that complies with Rule 18.8(h).
 - (d) Any subdivision of land that contains all or part of a site with any heritage feature identified in Schedule 2 of this Plan.
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18.5 NON-COMPLYING ACTIVITIES

- (a) Any subdivision that is not in accordance with the requirements as specified in a Structure Plan in Schedule 8 is a non-complying activity.
- (b) Any building or structure within 12 metres either side of the centre line of high voltage (110kV or more) transmission line.
- (c) Any subdivision within the Greenbelt Residential Waitarere Rise Overlay that does not comply with the conditions for controlled activities in Rule 18.7.2, or as a restricted discretionary activity in Rule 18.8(d), or as a discretionary activity is a non-complying activity.
- (d) Any building or structure within the area identified as 'buffer area' in the Greenbelt Residential (Foxton Beach North Overlay) Site Plan contained in Schedule 14.
- (e) Any dwelling, building or structure (except for a weir, outlet structure, fence, walkway or pedestrian bridge in any area in the Greenbelt Residential (Foxton Beach North Overlay) Zone set aside as open space as a result of a condition on a resource consent granted after 1 June 2012 unless full details of the proposed dwelling, building or structure were provided to the Council and were approved by the Council in writing within the decision to grant the consent that required the area to be set aside as open space.
- (f) Any subdivision of an allotment, including a balance lot, in the Greenbelt Residential (Foxton Beach North Overlay) Zone that was created pursuant to a consent granted under Rule 18.3(b) or 18.4(c), excluding:
 - (i) A boundary adjustment subdivision where no additional lots are created;
 - (ii) A subdivision for the sole purpose of creating an allotment exclusively for a network utility;
 - (iii) A subdivision of a balance lot to implement a further stage of development shown on a comprehensive development plan previously submitted to Council with a successful application for consent under Rule 18.3(b) or Rule 18.4(c).

18.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following performance conditions shall apply to all permitted activities.

18.6.1 Maximum Building Height

- (a) No part of any building shall exceed a height of 8.5 metres, except accessory buildings shall not exceed 6 metres in height.

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18.6.2 Daylight Setback Envelope

- (a) No part of any building shall encroach outside an envelope created, in relation to each site boundary, except a boundary with a street, by a line drawn vertically 2.7 metres above the ground level at the boundary and inclined at an angle of 45 degrees (1:1 slope) inwards from that point.

18.6.3 Building Setback From Boundaries and Separation Distances

- (a) No building shall be located closer than 9 metres from any road boundary or private road/accessway boundary, except that in the Greenbelt Residential (Foxton Beach North Overlay) Zone the setback shall be 5 metres
- (b) No building shall be located closer than 3 metres from any other site boundary;
- (c) No building shall be located closer than 15 metres from any State Highway boundary;
- (d) No buildings shall be located closer than 15 metres from any bank or stream edge;
- (e) No buildings shall be located closer than 15 metres from any Significant Natural Area where the boundary is defined by the perimeter fence line, or where the area is not fenced, the mapped boundary as identified on the Planning Maps.
- (f) No dwelling shall be located closer than 15 metres from any Rural Zone boundary.
- (g) No dwelling shall be located closer than 15 metres from any railway boundary;
- (h) No building or structure shall be located closer than 32 metres either side of the centreline of any high voltage (110kV or more) transmission line.

18.6.4 Separation Distance Between Detached Residential Dwelling Units

- (a) No detached residential dwelling unit shall be located closer than 3 metres from any other detached residential dwelling unit.

18.6.5 Safety and Visibility at Road and Rail Intersection

- (a) No person shall be permitted to erect any structure, or deposit any materials, or plant any tree that would obscure the sight distances from any road and rail intersection as shown in Diagram 1 (Chapter 21 - Traffic Sight Lines at Road and Rail Intersections).

- (b) Where any vehicle access crosses a rail level crossing, it shall be formed at the same level as the level crossing for 20 metres either side of the level crossing.

Note: Any person proposing to build within or adjacent to a level crossing should contact the New Zealand Railways Corporation for calculation of the view lines for the crossing.

18.6.6 Maximum Building Coverage

- (a) The proportion of any site covered by buildings, other than network utilities on sites less than 200m², shall not exceed 35% of the net site area.

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18.6.7 Minimum Net Site Area Per Unit

- (a) Each residential dwelling unit shall have a minimum net site area, i.e. site available exclusively for that unit in accordance with the standards set out in Table 18-1. Residential unit site requirements i.e. minimum area and shape factor must conform with subdivision allotment standards even though the land may not be undergoing subdivision.

18.6.8 Noise

- (a) No activity shall give rise to any noise which, when measured at any boundary of the site, exceeds the following noise levels:
- (i) On Any Day -
 - 7.00am – 10.00pm: 55dBA (L10)
 - 10.00pm – 7.00am: 40dBA (L10)
 - 10.00pm – 7.00am: 65dBA(A) (Lmax)
 - (ii) The above Rules relating to noise shall not apply to fire and civil emergency sirens.
 - (iii) All noise shall be measured and assessed in accordance with N.Z. 6801:1991 "Methods of Measuring Sound" and 6802:1991 "Assessment of Environmental Sound".
 - (iv) All noise emitted in the course of any construction work shall comply with N.Z.S. 6803:1984.

Note: Notwithstanding this rule, Section 16 of the RMA imposes a duty on every person to avoid unreasonable noise.

18.6.9 Odour

- (a) No activity shall give rise to offensive odours able to be detected at the boundary of any adjoining residential property or at the boundary of any property in any residential zone. For the purpose of this condition, an offensive odour is that odour which can be detected and is considered to be offensive by at least two independent observers; including at least one council officer.

18.6.10 Storage of Goods and Materials

- (a) All areas used for the storage of goods, materials, vehicles or waste products shall be maintained in a tidy condition and shall be screened from view from adjoining residential properties and from roads.

18.6.11 Water Supply

- (a) All sites shall be provided with a water supply to meet the capacity and quality requirements of the activities undertaken on the site.

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18.6.12 Wastes Disposal

- (a) All wastes (including sewage, effluent, and refuse) that are generated or stored on any site shall be collected, treated, and disposed of in a manner that avoids any significant adverse effects or nuisance for adjoining properties.

18.6.13 Surfacewater Disposal

- (a) All activities shall make provision for the collection, treatment, and disposal of surfacewater run-off in a manner that avoids any significant adverse effects or nuisance.

18.6.14 Development within Stopbanks

- (a) No development including buildings and earthworks shall be permitted within 20 metres from the inland toe of authorised stop banks. Flood protection works undertaken by Horizons Regional Council shall be exempt from the 20 metre setback.

18.6.15 Engineering Works

- (a) All activities subdivisions and developments shall comply with the requirements as specified in Chapter 24 relating to engineering works and land development.

18.6.16 Vehicle Access

- (a) All activities shall be provided with practicable vehicle access from a public road that is not obtained by crossing a railway line in accordance with the requirements as specified in Chapter 21.

18.6.17 Vehicle Parking, Manoeuvring, and Loading

- (a) All activities, except network utilities on sites less than 200m², shall be provided with vehicle parking spaces, manoeuvring areas, and loading facilities as specified in Chapter 21.

18.6.18 Hazardous Substances

- (a) The threshold hazard factor for all activities using or storing hazardous substances shall not exceed 'low', as specified in Chapter 23, and all activities involving hazardous substances shall comply with the permitted activity conditions specified in Chapter 23.

18.6.19 Advertising Signs

- (a) The following advertising signs may be displayed:
 - (i) Any complying temporary sign having a total face area not exceeding 2m².
 - (ii) Any public information sign identifying the name only of any building property or business and which has a face area not exceeding 1m².

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- (iii) Any public facility sign including any church, school or hall which has a face area not exceeding 2m²;
- (iv) Any sign advertising the sale or auction of land or premises which shall have a combined total face area not exceeding 2m² and be removed from the site within 5 working days of settlement of the sale;
- (v) All on-site signs attached to buildings which do not exceed the profile of the building.

provided that all signs comply with the following:

- Only one permanent free standing sign for each frontage of the site shall be permitted. It may be double sided.
- Comply with the following specifications:

	Posted speed limit less than 70kph	Posted speed limit 70kph and above
Maximum number of words	11 or symbols	6 or symbols
Maximum number of characters	90	40
Minimum lettering height	120mm	160mm

- Shall not exceed 4 metres in height.
- Not be flashing, animated, trivision, lasers or aerial or which could produce glare or could dazzle.

18.6.20 Network Utilities

- (a) All network utilities and structures associated with network utilities shall comply with the conditions as specified in Chapter 22. All other relevant conditions specified in this part of the Plan shall also apply to any network utility or associated structures.

18.6.21 Protection of Areas of Significant Indigenous Vegetation and Significant Habitats if Indigenous Fauna

- (a) Indigenous vegetation clearance, modification, damage, destruction or removal may not take place in an area which:
 - (i) Is within the coastal foredune area (as defined in the proposed Manawatu-Wanganui land and water plan i.e. MHWS to 200 metres inland of the first line of vegetation); or
 - (ii) Is an area of 0.5 hectares or greater irrespective of land ownership which has an actual or emerging predominance of indigenous tree species of any height located landward of the coastal foredune area as defined in paragraph (i) above and less than 100 metres in elevation above sea level. For the purpose of this rule, if the greater part of the area to be cleared is below 100 metres in elevation above sea level, then this rule applies; or
 - (iii) Is an area of 1 hectare or greater irrespective of land ownership which has an actual or emerging dominance of indigenous tree species of any height

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located more than 100 metres in elevation above sea level. For the purpose of this rule, if the greater part of the area to be cleared is above 100 metres in elevation above sea level. Then this rule applies.

- (iv) Contains indigenous trees (excluding manuka/kanuka) over 6 metres in height, unless the area to be cleared is less than 500 square metres in any 10 year period; or
- (v) Contains manuka or kanuka over 6 metres in height in the coastal environment as identified on the Planning Maps, unless the area to be cleared is less than 500 square metres in any 10 year period; or
- (vi) Is a wetland over 100 square metres in area with an average width of at least 5 metres; or
- (vii) Is within 10 metres or a third or higher order stream/river (mapped at 1:50,000) or a lake or wetland, or a permanent flowing stream or river that feeds a wetland(s) or lake(s) within the coastal environment as identified on the Planning Maps. What constitutes a third or higher order stream is to be determined pursuant to Strahler's 1952 Classification System and as otherwise defined in Part 25 of the Plan under the heading "Stream Order"; or
- (viii) Contains rare or threatened species defined in Schedule – Threatened Species; or

Indigenous vegetation clearance, modification, damage, destruction or removal does not include:

- Vegetation that has grown under the canopy of a plantation forest
 - Scattered trees, shrubs and scrub amongst pasture or horticultural land or production forestry land; or
 - Actions necessary for the avoidance of imminent danger to human life; or
 - Actions necessary for the current operation and maintenance of existing infrastructure, including roads, tracks, drains, stream or river access, structures and fence lines and the maintenance, replacement and upgrading of network utilities consistent with Rule 22.1.10 of this Plan; or
 - The disturbance or damage (but not destruction) of indigenous vegetation as the consequence of harvesting of plantation forest; including where the harvesting involves:
- (ix) The lifting and/or dragging of logs, and/or
 - (x) The construction and maintenance of forestry roads and stream crossings.
 - And the modification is temporary and minor and does not compromise the ecological functioning of the area;
 - Diseased vegetation that creates an environmental or ecological risk.

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18.6.22 Protection of Heritage Features

- (a) No activity or development work shall result in any modification, demolition, alteration or removal of any heritage feature identified in Schedule 2 of this Plan. However, normal maintenance and repair work will be permitted.
- (b) No activity is permitted within the dripline of a Scheduled Notable Tree where that activity could result in any adverse effect on the tree.
- (c) No person may remove, destroy or damage a tree that may adversely affect the values for which it was considered worthy of protection.
- (d) Council may grant consent as a discretionary activity where it is satisfied that one or more of the following circumstances exist:
 - (i) The tree is dead or diseased
 - (ii) The tree has become a danger to life, is causing damage to property, or is likely to do so.

18.6.23 Temporary Military Training Activities

- (a) All Temporary Military Activities shall, in addition to the aforesaid conditions, also comply with the following conditions:
 - (i) The written consent of the owner shall have been obtained;
 - (ii) No permanent structures may be constructed;
 - (iii) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan;
 - (iv) Flying activity shall be in compliance with Civil Aviation regulations or in agreement with the local controlling authority;
 - (v) The activity shall be limited to a period not exceeding thirty-one days;
 - (vi) Noise from any temporary military training activity shall not exceed the noise levels provided for the activity in the Noise Conditions for permitted activities for the particular zone.”

18.6.24 Sites of significance to Tangata Whenua

- (a) No activity or development shall lead to the modification, demolition or removal of any site of significance to Iwi where such site has been identified to Council prior to the time that any activity or development is proposed.

18.6.25 Fencing

- (a) The maximum height of a fence on a boundary shall not exceed 2 metres.

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18.6.26 Unsightly Buildings

- (a) No building shall be left unfinished, or constructed, or become in such a state so that its external appearance is a distraction from the amenities of the neighbourhood in which it is situated.

18.6.27 Wrecked Motor Vehicles

- (a) No wrecked and/or unroadworthy vehicle or vehicles shall be placed or located on a residential property where any such vehicle may be viewed from any public place or road.

For the purpose of this condition:

- “Vehicle” shall include any car, bus, truck, van, motorcycle, trailer or house bus or caravan, and
- “Wrecked and Unroadworthy” shall include any of the above which is unregistered and/or unwarranted and/or beyond reasonable repair and includes vehicles being stripped for sale or disposal of parts.

18.6.28 Vibration

- (a) No activity shall create any vibration which exceeds the limits in NZS/ISO 2631.2:1989 – Continuous and Shock-Induced Vibration in Buildings and NZS 4403:1976 – Code of Practice for Storage, Handling, and Use of Explosives, and any subsequent amendments.

18.6.29 Waitarere Rise Overlay Effluent Disposal Rate

- (a) Any onsite effluent treatment system installed shall not pump grey water to the reticulated system at a rate of more than 0.50 litres/second.

18.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

The matters over which Council may reserve its control and the required conditions are detailed below for each controlled activity:

18.7.1 Subdivision of Land

Controlled Matters

The matters over which Council reserves its control are as follows:

- (a) The design and layout of the subdivision, including the size, shape and position of any lot, distribution of open space, including the future land use and development of each lot. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment.
- (b) The provision of any new roads, cycleways, footpaths, provision of linkages to existing roads, access over or under railway lines, the diversion or alteration of any existing roads, the provision of access, passing bays, parking and manoeuvring areas, and any necessary easements.

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- (c) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity.
- (d) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves.
- (e) Effects on significant sites and features, including natural, cultural and historical sites.
- (f) Site contamination remediation measures and works.
- (g) Avoidance or mitigation of natural hazards.
- (h) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.
- (i) Staging of the subdivision.
- (j) Whether the development is generally in accordance with any applicable Structure Plan in Schedule 8.
- (k) Whether the development is generally in accordance with the Greenbelt Residential Design Guide in Schedule 7.
- (l) Compliance with the Horowhenua District Council Engineering requirements.
- (m) Those matters described in Section 108 and 220 of the RMA

Assessment Criteria

Controlled Activities are to be assessed against the relevant assessment criteria set out in Chapter 25.

18.7.2 Conditions

- (a) Minimum Allotment Area and Shape:

Each allotment shall comply with the following site area and shape factor standards in Table 18-1.

Table 18-1 Standards Applying to Subdivision and Residential Dwelling Units

Type of Allotment, or Subdivision	Minimum Area Per Allotment/Site	Minimum Shape Factor
Greenbelt Residential General Serviced	2000 square metres	20 metres diameter
Greenbelt Residential General Unserviced	5000 square metres	20 metres diameter
Greenbelt Residential Waitare Rise Overlay	4000 square metres	55 metres diameter (excluding any areas subject to rights of way)

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Note 1: "Greenbelt Residential General Serviced" refers to the areas within the 'Greenbelt Residential Zone' that are serviced by Council's reticulated water and wastewater infrastructure, such as Levin and Foxton Beach.

Note 2: "Greenbelt Residential General Unserviced" refers to the areas within the 'Greenbelt Residential Zone' that are not serviced by Council's reticulated water and wastewater infrastructure, such as Waikawa Beach and Manakau.

Note 3: "Greenbelt Residential Waitarere Rise Overlay" refers to the area identified on the Planning Maps.

- (b) Water Supply, Wastewater Disposal, and Other Services: All subdivisions shall comply with the requirements as specified set out in Chapter 24.
- (c) Roads and Access: All subdivisions shall comply with the requirements as specified in Chapter 21.
- (d) Network Utilities Lots: There shall be no minimum site area requirements for lots for network utility purposes.
- (e) Structure Plan: All subdivisions shall be in accordance with the requirements of the Structure Plan for the area in Schedule 8.
- (f) Subdivision of land containing a natural habitat of indigenous species;
Where an application is received for the subdivision of land containing all or part of a natural habitat and where a development is, or may be proposed within the vicinity of the area, Council may require one or more of the following conditions:
 - Covenanted the area
 - Creation of a buffer zone to avoid, remedy, or mitigate 'edge effects' associated with development.
 - Specific design for any on site wastewater or stormwater disposal system associated with a dwelling
 - Provision for the undergrounding of services.

18.7.3 Relocated Buildings

Controlled Matters

The matters over which Council reserves its control are as follows:

- (a) The length of time taken to re-construct, repair, or refurbish the building.
- (b) Conditions for upgrading the exterior of the building and upgrading and reinstating the site, including any one or more of the following:
 - Redecoration or reinstatement of any roof or exterior cladding
 - Reinstatement of any porches, terraces, baseboards and steps
 - Replacement of broken window panes, broken or rotten timber, guttering, drainpipes

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- Reinstatement of that part of a dwelling where a chimney has been removed
 - Reinstatement of the site and access to the site
 - Details and length of time to complete site landscaping.
- (c) A bond, of the nature provided for in the RMA, further secured by deposits of cash with the District Council, bank guarantee, or otherwise, to the satisfaction of the District Council, to ensure compliance with consent conditions. The bond is to be paid prior to the movement of the building to its new site, and shall be to the value of the work required, as assessed by a suitably qualified person approved by the Environmental Services Manager at the cost of the applicant. The required work will be expected to be completed within a 12 month period. Portions of the bond may be refunded as substantial portions of the work are completed.
- (d) The payment of administrative charges.

Conditions

- (a) Relocated buildings shall comply, in all respects, with the conditions specified for permitted activities in other relevant parts of the Plan.

18.7.4 Temporary Military Training Activities

Controlled Matters

The matters over which Council reserves its control are as follows:

- (a) The avoidance, remedying or mitigating any adverse effects on the environment.
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18.8 MATTERS OF DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

The matters over which the Council will exercise its discretion in granting or refusing any application shall be limited to the effect of the particular non-compliance on the environment.

Matters of Discretion

- (a) In the case of any building located closer to the road boundary of a site than the minimum standard distance, the matters over which Council will exercise its discretion shall be limited to the following:
- (i) The effect of the design and appearance of the building on the overall amenities and character of the locality; and
 - (ii) The effect of the proposal on the safety, efficiency, or convenience of any adjoining road or footpath; and
 - (iii) Where the building is intended to house vehicles, the ability to gain access into and out of the building from the road without interfering with the safety or convenience of any road or footpath user; and

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- (iv) The effect of the building's location on opportunities for access to the rear of the site.
- (b) In the case of any building or structure within 12-32 metres either side of the centre line of high voltage (110kV or more) transmission lines, the matters over which Council will exercise its discretion shall be limited to the following:
 - (i) The design or location of buildings and structures to enable the Transmission line to be efficiently used, operated and accessed;
 - (ii) Building orientation with regard to the location and visual impacts of the transmission lines;
 - (iii) Measures necessary to ensure the transmission line's security and minimise risk of injury or property damage from or to transmission lines;
 - (iv) Measures to ensure public safety, such as compliance with the New Zealand Electrical Code of Practice for Electrical Safety Distances: NZECP: 34:2001;
 - (v) The manner in which adverse effects associated with reverse sensitivity are avoided, remedied or mitigated.
- (c) Any subdivision within 32 metres of the centre line of high voltage (110kV or more) transmission lines, the matters over which Council will exercise its discretion shall be limited to the following:
 - (i) The lot design and configuration to enable the transmission line to be efficiently used, operated and accessed;
 - (ii) Future building location and orientation with regard to the location and visual impacts of the transmission lines;
 - (iii) Measures necessary to ensure the transmission line's security and minimise risk of injury or property damage from or to transmission lines;
 - (iv) Measures to ensure public safety, such as compliance with the New Zealand Electrical Code of Practice for Electrical Safety Distances: NZECP: 34:2001;
 - (v) The manner in which adverse effects associated with reverse sensitivity are avoided, remedied or mitigated.
- (d) In the case of any subdivision within the Greenbelt Residential Waitarere Rise Overlay that does not comply with the minimum shape factor standard, the subdivision shall be a restricted discretionary activity. The matters over which Council will exercise its discretion shall be limited to the following:
 - (i) The effect of the lot shape on the character and amenity of the Waitarere Rise subdivision development.
 - (ii) The ability to construct a future dwelling on any allotment to comply with Rule 18.6.
 - (iii) The environmental effects of the reduced minimum shape factor.

In the case of subdivision provided for in Rule 18.3(d), the activity shall comply with the following conditions:

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- (i) The minimum shape factor is no less than 50 metres diameter (excluding any areas subject to rights of way);
- (ii) The minimum area per allotment/site is no less than 4000m²; and
- (iii) That the number of lots with a minimum shape factor below 55 metres diameter (excluding any areas subject to rights of way) is no more than 15% of the lots in any proposed subdivision application
- (iv) That the reduced minimum shape factor shall be due to one of the following:
 - A geometrical constraint created by the Structure Plan layout and or the external boundaries that leave an odd or difficult shape to deal with.
 - Physical features including contour limitations.
 - Significant features such as historic sites.
- (e) In the case of any subdivision within the Greenbelt Residential (Foxton Beach North Overlay) Zone, the matters over which Council will exercise its discretion shall be limited to the following matters:
 - (i) The design and layout of the subdivision, including the size, shape and position of any lot, distribution of open space, including the future land use and development of each lot, and the provision of an appropriate incorporated Community Owned Management Structure for the ownership, management, and maintenance of open space. In addition, the location of building sites, separation distances, orientation of buildings, and screening/landscape treatment;
 - (ii) The provision of any new roads, cycleways, footpaths, provision of linkages to existing roads, the diversion or alteration of any existing roads, the provision of access, passing bays, parking and manoeuvring areas, and any necessary easements;
 - (iii) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity, and, where those services are to be privately owned, the provision of an appropriate incorporated Community Owned Management structure for their ownership, management, and maintenance;
 - (iv) Provision of reserves, esplanade reserves, esplanade strips and access strips, including connections to existing and future reserves;
 - (v) Effects on significant sites and features, including natural, cultural, geological and historical sites;
 - (vi) Site contamination remediation measures and works;
 - (vii) Avoidance or mitigation of natural hazards;
 - (viii) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control;
 - (ix) Staging of the subdivision;

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- (x) Whether the proposal is consistent with the Greenbelt Residential Foxton Beach North Design Guide in Schedule 14;
- (xi) Compliance with the Horowhenua District Council Engineering requirements; and
- (xii) Those matters described in Section 108 and 220 of the Resource Management Act 1991
- (xiii) Provision for an incorporated Community Owned Management Structure for the ownership, management, and maintenance of open space.
- (xiv) In the case of Water Supply, Wastewater Disposal, and Other Services: Compliance with the requirements as specified in Chapter 24.
- (xv) In the case of Roads and Access: Compliance with the requirements as specified in Chapter 21.

Conditions

- (f) In the case of subdivision provided for in Rule 18.3(b), the activity shall comply with the following conditions:
 - (i) Minimum Allotment Area and Shape:

Each allotment shall comply with the following site area and shape factor standards in Table 18-2.

Table 18-2 Standards Applying to Subdivision and Residential Dwelling Units

Type of Allotment, or Subdivision	Minimum Area Per Allotment/Site	Minimum Shape Factor
Greenbelt Residential (Foxton Beach North Overlay) Serviced	330 square metres	15 metres diameter
Greenbelt Residential (Foxton Beach North Overlay) Unserviced	5000 square metres	20 metres diameter

Note 1: "Greenbelt Residential (Foxton Beach North Overlay) Serviced" refers to the areas which are serviced either by Council's reticulated water and wastewater infrastructure or by private infrastructure that has either been approved as part of an earlier subdivision consent or which is included as an integral part of the development being proposed.

Note 2: "Greenbelt Residential (Foxton Beach North Overlay Unserviced" refers to the areas within the 'Greenbelt Residential Zone' which are not serviced either by Council's reticulated water and wastewater infrastructure or by comprehensive private infrastructure.

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- (ii) Minimum Average Lot Area and Open Space
- Allotments created shall comply with the minimum average area per allotment set out in Table 18-3.
 - Each subdivision shall comply with the maximum and minimum open space requirements set out in Table 18-3.

Table 18-3 Average Lot Area and Open Space Standards Applying to Subdivision

Type of Allotment, or Subdivision	Minimum Open Space (P)	Maximum Open Space (P)	Minimum Average Area Per Allotment/Site (square metres)
Greenbelt Residential (Foxton Beach North Overlay) Zone	0.3	0.7	$= \left(\frac{A(1-P)}{3500} (1+P) \right)$

Note 1:

A = Total parent lot area (square metres)

P = Percentage of Open Space (as a decimal e.g. 0.5), which includes roads and buffer areas.

Note 2: The calculation of the average allotment area and open space is only to be applied to the stage being developed.

- (iii) A comprehensive development plan must be prepared for each stage and/or the entire site that demonstrates connectivity between development stages.

Restricted Discretionary Activities are to be assessed against the relevant assessment criteria set out in Chapter 25.

18.9 CONDITIONS FOR DISCRETIONARY ACTIVITIES

The conditions specified for permitted activities shall, where appropriate, be referred to as a guideline when determining whether or not any resource consent should be granted and any conditions of such consent.

18.10 GREENBELT RESIDENTIAL (DEFERRED) ZONE

Areas of Greenbelt Residential (Deferred) Zone are identified on the Planning Maps.

Until such time that deferred status is uplifted, the rules of the Rural Zone shall apply within any area identified as Greenbelt Residential (Deferred) Zone or Greenbelt Residential (Foxton Beach North Overlay) Zone (Deferred).

To meet the requirements for uplifting the deferred zone status either of the following must be satisfied:

- (a) Greenbelt Residential (Deferred) Zone will cease to have effect and the Greenbelt Residential Zone provisions will apply when either of the following occurs:

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- For an area not covered by a Structure Plan in the District Plan, a District Plan Change is approved incorporating a Structure Plan for the area; or
 - For an area covered by a Structure Plan in the District Plan, the passing of a Council resolution that there is adequate capacity in a local-authority operated reticulated infrastructure to service the particular area of land subject to the Greenbelt Residential (Deferred) Zones.
- (b) The Greenbelt Residential (Foxton Beach North Overlay) (Deferred) Zone will cease to have effect and the Greenbelt Residential (Foxton Beach North Overlay) provisions will apply, without further formality, when a Council resolution is passed confirming that:
- All land within the Greenbelt Residential (Foxton Beach North Overlay) Zone has been subject of a subdivision consent granted under Rule 18.3(b) or 18.4(c) and 60% of the resulting lots within the overlay area have been issued with individual certificates of title and sold.

Note: An applicant that considers that such a resolution should be passed, should complete and submit to the Council the certification form contained in Schedule 14.