

18. GREENBELT RESIDENTIAL ZONE

18.1 PERMITTED ACTIVITIES

The following activities are permitted activities in the Greenbelt Residential Zone provided activities comply with all relevant conditions in Rule 18.6 and Chapters 21, 22, 23 and 24.

- (a) Residential activities.
- (b) Primary production activities.
- (c) Accessory buildings.
- (d) Relocated buildings.
- (e) Visitor accommodation for up to four people per site within any residential dwelling unit and/or family flat.
- (f) Home occupations.
- (g) Open space.
- (h) The construction, alteration of, and addition to, and demolition of buildings and structures for any permitted activity.
- (i) Use of, and internal alterations to, existing community facilities (including education facilities and grounds) for community activities including services having a social, community, ceremonial, cultural, educational, recreational, worship, or spiritual purpose.
- (j) The following network utilities and energy activities:
 - (i) The construction, operation, maintenance and upgrading of network utilities.
 - (ii) Domestic scale renewable energy devices.
- (k) The following types of signs:
 - (i) Advertising signs located on the site to which the activity relates, including public facility or information signs identifying a building, property or business.
 - (ii) Official Signs.
 - (iii) Temporary Signs.
 - (iv) Signs advertising sale or auction of land or premises.
 - (v) Health and safety signs.
- (l) Within the Flood Hazard Overlay Areas only, the following activities:

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- (i) Primary production activities.
- (ii) Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of, Horizons Regional Council.
- (iii) Maintenance or minor upgrading of existing network utilities.
- (iv) Installation of underground network utilities.
- (v) New above ground line including support poles.
- (vi) New network utility masts.
- (vii) New network utility cabinets/buildings.

Notes:

- For the definitions of 'maintenance' and 'minor upgrading' refer to Rules 22.1.10(a) and (c) in relation to existing network utilities.
 - Refer to rules in Horizons Regional Council's Proposed One Plan relating to activities in the bed of lakes and rivers, for land adjacent to rivers, all land use activities in the coastal marine area, coastal foredunes, areas with flood control and drainage schemes, and erosion protection works that cross or adjoin mean high water springs.
- (m) Soil conservation, erosion protection, river control or flood protection works undertaken by, or on behalf of Horizons Regional Council.
- (n) Where a building or structure is listed in Schedule 2 – Historic Heritage, the following are permitted activities:
- (i) The maintenance, redecoration and repair of the interior and exterior of a Group 1 or 2 building or structure.
 - (ii) Internal alteration of a Group 2 building.
- (o) Where a site is listed in Schedule 2 – Historic Heritage, the following are permitted activities:
- (i) Maintenance and repair of existing lawns, gardens, structures (including fences), buildings and signage on any site.
 - (ii) Removal of vegetation on any site.
- (p) Where a tree is listed in Schedule 3 – Notable Trees the following are permitted activities:
- (i) The removal or partial removal of a Notable Tree.
 - (ii) Any activities within the drip line of a Notable Tree.
 - (iii) Any trimming and maintenance of a Notable Tree.

Note: The above activities must comply with all Conditions for Permitted Activities specified in Rule 18.6.27.

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- (q) Temporary activities.
- (r) Temporary military training activities.
- (s) Earthworks

Notes: Also refer to -

- (i) Rule 18.4(j)(v) Earthworks within the heritage setting of a Group 1 or 2 building or structure;
- (ii) Rule 18.4(k)(ii) Earthworks within a site that is listed in Schedule 2 – Historic Heritage); and
- (iii) Rule 18.6.32(b)(i) – 18.6.32(b)(iii) Earthworks around a National Grid transmission line.

National Environmental Standards:

- For any activities on contaminated or potentially contaminated land, refer to the National Environmental Standard for Assessing and Managing Contaminants in Soil to Protect Human Health Regulations 2011.
- For any Telecommunication or Radiocommunication facilities / activities that are located within a legal road reserve, refer to the Resource Management (National Environmental Standard for Telecommunications Facilities) Regulations 2008.
- For any activities involving the operation, maintenance, upgrading, relocation, or removal of an existing transmission line that is part of the national grid, as defined in the regulation, refer to the National Environmental Standards for Electricity Transmission Activities Regulations 2009. The regulations contain a separate code of rules for those activities listed. Except as provided for by the regulation, no rules in this District Plan apply to such activities.

18.2 CONTROLLED ACTIVITIES

The following activities shall be controlled activities in the Greenbelt Residential Zone provided activities comply with all relevant conditions in Rule 18.7 and Chapters 21, 22, 23 and 24. Refer to Rule 18.7 for matters of control and conditions.

- (a) Any subdivision of land (Refer Rule 18.7.1).

Except

Subdivision in the Greenbelt Residential Zone (Foxton Beach North Overlay), other than subdivision activities provided in Rule 18.2(b) below.

- (b) Within the Greenbelt Residential Zone (Foxton Beach North Overlay), the following subdivision activities:
 - (i) Any boundary adjustment; and

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- (ii) The creation of an allotment that is for the exclusive use of a network utility.
 - (c) Any boundary adjustment subdivision within Flood Hazard Overlay Areas (Refer Rule 18.7.2)
 - (d) Road-side sales activities on roads other than State Highways (Refer Rule 18.7.3).
 - (e) The placement of any non-residential relocated building and/or relocated accessory building over 40m² in gross floor area on any site (Refer Rule 18.7.4).
 - (f) Earthquake strengthening of any Group 2 building listed in Schedule 2 - Historic Heritage (Refer Rule 18.7.5).
 - (g) Any temporary filming activity that exceeds the duration standard set out in Rule 18.6.29(b)(i). (Refer Rule 18.7.6).
 - (h) Any temporary military training activity that does not comply with the permitted activity conditions in Rule 18.6.30. (Refer Rule 18.7.7).
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18.3 RESTRICTED DISCRETIONARY ACTIVITIES

The following activities shall be restricted discretionary activities in the Greenbelt Residential Zone provided activities comply with all relevant conditions in Rule 18.8. Refer to Rule 18.8 for matters of discretion and conditions.

- (a) Any permitted activity which does not comply with any conditions in Rule 18.6 or Chapters 21, 22, 23 and 24. (Refer Rule 18.8.1)
- (b) Any controlled activity which does not comply with any conditions in Rule 18.7. (Refer 18.8.2)
- (c) Within Flood Hazard Overlay Areas any permitted activities that do not comply with the permitted activity conditions in Rule 18.6.13. (Refer Rule 18.8.6)
- (d) Earthquake strengthening of any Group 1 building listed in Schedule 2 - Historic Heritage. (Refer Rule 18.8.7)
- (e) Any signs attached to, or within the heritage setting of, a building, structure or site listed in Schedule 2 – Historic Heritage that do not comply with the relevant permitted activity conditions. (Refer Rule 18.8.8)
- (f) Remote advertising signs. (Refer Rule 18.8.9)
- (g) Community Entrance signs. (Refer Rule 18.8.9)
- (h) Any subdivision within 16 metres of the centre line of High Voltage Transmission Lines provided the standards for Controlled Activities in Rules 18.7.1 are met (Refer to 18.8.11).
- (i) Within the Greenbelt Residential Waitarere Rise Overlay, any subdivision that does not comply with the minimum shape factor standard in Table 18-4, Rule 18.7.1(b)(i). (Refer to Rule 18.8.12)

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- (j) Within the Greenbelt Residential Zone (Foxton Beach North Overlay), any subdivision that complies with the conditions set out in Rule 18.8.13(b)(i). (Refer to Rule 18.8.13)

Note: Refer to Chapter 25 for Assessment Criteria as a guide for preparing an assessment of environmental effects to accompany a resource consent application for any of the above activities.

- (k) The placement of any residential relocated building over 40m² in gross floor area that does not comply with the conditions in 18.6.33(b) (Refer Rule 18.8.14)
 - (l) Any earthworks not permitted by Rule 18.6.32(b)(i) (refer Rule 18.8.15)
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18.4 DISCRETIONARY ACTIVITIES

The following activities are discretionary activities in the Greenbelt Residential Zone:

- (a) Any activity that is not a permitted, controlled, restricted discretionary or a non-complying activity.
- (b) Two or more residential dwelling units/family flats per site.
- (c) Any subdivision that is not in accordance with the requirements as specified in a Structure Plan in Schedule 8.
- (d) Intensive farming.
- (e) Any subdivision that does not comply with the conditions for Controlled Activities in Rule 18.7.1(b)
Except
 - (i) Subdivision in the Greenbelt Residential Waitarere Rise Overlay that is a Restricted Discretionary Activity in Rule 18.3(i) and complies with Rule 18.7.1(b)(i) or is a Non-complying Activity in Rule 18.5(b); and
 - (ii) Subdivision in the Greenbelt Residential (Foxton Beach North Overlay) that is a Restricted Discretionary Activity in Rule 18.3(j) and complies with Rule 18.8.13(b)(i) or is a Non-complying Activity in Rule 18.5(e).
- (f) Community Entrance signs that do not comply with the restricted discretionary activity conditions in Rule 18.8.9(b).
- (g) New community facilities or external additions and alterations to existing community facilities (including education facilities and grounds) for community activities including services having a social, community, ceremonial, cultural, educational, recreational, worship, or spiritual purpose.
- (h) Lines and support structures (including towers, masts and poles) for conveying electricity at a voltage exceeding 110kV.
- (i) Any activities within the Flood Hazard Overlay Areas that are not listed as a permitted or restricted discretionary activities, including but not limited to the following:

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- (i) Any erection, placement, alteration of, or addition to, any habitable building or structure.
 - (ii) Any new network utilities (except installation of underground network utilities, above ground lines, network utility masts, and network utility cabinets/buildings which are a permitted activity under Rule 18.1(j)).
 - (iii) Any subdivision of land (except for boundary adjustments which are a controlled activity under Rule 18.2(c)).
 - (iv) Any activity involving storage or disposal of hazardous substances but does not include those hazardous substances, facilities and activities listed in Rule 23.1.1 (Exemptions).
 - (v) Visitor accommodation.
- (j) Where a building or structure is listed in Schedule 2 – Historic Heritage the following are discretionary activities:
- (i) Alteration to, or relocation of, a Group 1 or 2 building or structure.
 - (ii) Demolition of a Group 2 building or structure.
 - (iii) Subdivision within the heritage setting of a Group 1 or 2 building or structure.
 - (iv) New building or additions to an unlisted building located within the heritage setting of a Group 1 or 2 building or structure.
 - (v) Earthworks within the heritage setting of a Group 1 or 2 building or structure.
- (k) Where a site is listed in Schedule 2 – Historic Heritage, the following are discretionary activities:
- (i) New building or the extension of the footprint of an existing building or structure on a site.
 - (ii) Earthworks.
 - (iii) Subdivision of land.
- (l) Any permitted work to a listed tree in Schedule 3 - Notable Trees, or any activity within the drip line of a listed Notable Tree, that does not comply with the permitted activity conditions in Rule 18.6.27.

18.5 NON-COMPLYING ACTIVITIES

The following shall be non-complying activities in the Greenbelt Residential Zone:

- (a) Any activity within the National Grid Corridor or subdivision within 16 metres of the centre line of High Voltage Transmission Lines that do not comply with the permitted activity conditions in Rule 18.6.32.
- (b) Within the Greenbelt Residential Waitarere Rise Overlay:

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- (i) Any subdivision that does not comply with the controlled activity conditions in Rule 18.7.1(b); or
- (ii) Any subdivision that does not comply with the conditions for restricted discretionary activity conditions in Rule 18.8.12(a).
- (c) Within the Greenbelt Residential Zone (Foxton Beach North Overlay), any building or structure within the 'buffer area' shown on the Site Plan contained in Schedule 14.
- (d) Within the Greenbelt Residential (Foxton Beach North Overlay) Zone, any dwelling, building or structure in any area set aside as open space as a result of a condition on a resource consent granted after 1 June 2012.

Except:

- (i) Any weir, outlet structure, fence, walkway or pedestrian bridge; or
- (ii) Where any proposed dwelling, building or structure was approved by the Council within the decision to grant the consent that required the area to be set aside as open space.
- (e) Within the Greenbelt Residential Zone (Foxton Beach North Overlay), any subdivision of an allotment, including a balance lot, that was created pursuant to a consent granted under Rule 18.3(i) or 18.4(e).

Except:

 - (i) Any boundary adjustment subdivision where no additional lots are created;
 - (ii) Any subdivision for the sole purpose of creating an allotment exclusively for a network utility;
 - (iii) Any 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(j) or Rule 18.4(e).
- (f) Demolition or destruction of a Group 1 building, structure or a site listed in Schedule 2 - Historic Heritage.

18.6 CONDITIONS FOR PERMITTED ACTIVITIES

The following conditions shall apply to all permitted activities:

18.6.1 Number of Residential Dwelling Units and Family Flats

- (a) One residential dwelling unit per site.
- (b) One family flat up to 50m² in maximum gross floor area plus a covered verandah up to 10m² per site.

18.6.2 Maximum Building Height

- (a) No part of any building shall exceed a height of 8.5 metres.

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- (b) Except
- (c) No part of any accessory building or family flat shall exceed 6 metres in height.

18.6.3 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.

18.6.4 Building Setbacks From Boundaries and Separation Distances

- (a) No building shall be located closer than 9 metres from any road boundary or private road/accessway boundary.
- (b) Except
- (c) Within the Greenbelt Residential (Foxton Beach North Overlay) Zone, the building setback shall be 5 metres.
- (d) No building shall be located closer than 3 metres from any other site boundary;
- (e) No building shall be located closer than 15 metres from any State Highway boundary;
- (f) No building shall be located closer than 15 metres from any bank or stream edge;
- (g) No building shall be located closer than 20 metres from the bed of any water body listed in Schedule 12 - Priority Water Bodies.
- (h) No dwelling shall be located closer than 10 metres from any Rural Zone boundary.
- (i) No dwelling shall be located closer than 15 metres from any railway boundary;

18.6.5 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.

18.6.6 Maximum Building Coverage

- (a) The proportion of any net site area covered by buildings shall not exceed 35%.
Except:

There shall be no building coverage requirements for network utilities on sites less than 200m².

18.6.7 Fencing

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

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18.6.8 Home Occupations

- (a) Home occupations shall not exceed 50m² in total gross floor area dedicated to this activity.

18.6.9 Noise

- (a) Noise from any activity shall not exceed the following limits when measured at, or within, any point within any other site:
- (i) On Any Day -
- 7.00am – 7.00pm: 55dB L_{Aeq} (15 mins)
 - 7.00pm – 10.00pm: 50dB L_{Aeq} (15mins)
 - 10.00pm – 7.00am: 40dB L_{Aeq} (15mins)
 - 10.00pm – 7.00am: 65dB L_{max}
- (b) Sound levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.
- (c) Construction, maintenance and demolition work shall be measured, assessed, managed and controlled in accordance with the provisions of NZS 6803:1999 Acoustics - Construction noise.
- (d) The noise limits in 18.6.9(a) and (b) shall not apply to the following activities:
- (i) Fire and civil emergency sirens.
- (ii) Construction, maintenance and demolition work.
- (iii) The operation of the Main North Island Trunk Railway.
- (iv) Vehicles being driven on a road (within the meaning of Section 2(1) of the Transport Act 1963), or within a site as part of, or compatible with, a normal residential activity.
- (v) Temporary military training activities.
- (vi) Temporary events.

Notwithstanding the above rules, Section 16 of the RMA imposes a duty on every occupier of land and any person carrying out an activity in, or under a water body to adopt the best practicable option to avoid unreasonable land.

18.6.10 Vibration

- (a) No activity shall create any vibration which exceeds the limits in the following standards:
- (i) AS 2670.1-2001 Evaluation of human exposure to whole-body vibration –

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General requirements.

- (ii) AS 2670.2-1990 Evaluation of human exposure to whole-body vibration - Continuous and shock-induced vibration in buildings (1 to 80 Hz).
- (iii) DIN 4150-3:1999 Effects of vibration on structures.
- (iv) NZS 4403:1976 – Code of Practice for Storage, Handling and Use of Explosives, and any subsequent amendments.

18.6.11 Noise Insulation

- (a) Any habitable room in a new noise sensitive activity or any alteration(s) to an existing noise sensitive activity constructed within 40 metres (measured from the nearest painted edge of the carriageway) of a State Highway, or land that is subject to a notice of requirement or designation for a State Highway shall be designed, constructed and maintained to meet an internal noise level of 40dBA L_{Aeq} (24 hours).
 - (i) Compliance with Rule 18.6.11(a) shall be achieved by, prior to the construction of any noise sensitive activity, an acoustic design certificate from a suitably qualified acoustic engineer is to be provided to Council demonstrating that the above internal sound levels will be achieved.
- (b) Any habitable room in a new noise sensitive activity or any alteration(s) to an existing noise sensitive activity constructed within 30 metres (measured from the nearest edge of the rail corridor) of the North Island Main Trunk Railway shall be designed, constructed and maintained to meet an internal noise level of:
 - (i) 35dBA L_{Aeq} (1 hour) inside bedrooms.
 - (ii) 40dBA L_{Aeq} (1 hour) inside other habitable rooms.

Compliance with Rule 18.6.11(b) shall be achieved by, prior to the construction of any noise sensitive activity, an acoustic design certificate from a suitably qualified acoustic engineer is to be provided to Council demonstrating that the above internal sound levels will be achieved.

18.6.12 Odour

- (a) No activity shall give rise to offensive or objectionable odours able to be detected at the boundary of any adjoining property.
- (b) Note: For the purpose of this condition, an offensive or objectionable odour is that odour which can be detected and is considered to be offensive or objectionable by at least two independent observers; including at least one Council officer. In determining whether an odour is offensive or objectionable, the "FIDOL factors" may be considered (the frequency; the intensity; the duration; the offensiveness (or character); and the location of the odour). Section 14.2 of the Proposed One Plan as well as the Good Practice Guide for Assessing and Managing Odour in New Zealand (Ministry for the Environment, 2003) contains further guidance.

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18.6.13 Flood Hazard Overlay Area

- (a) Within a Flood Hazard Overlay Area earthworks shall not exceed 20m³ per site within any 12 month period.
Except
- The earthworks volume limit does not apply to tracks where the existing ground level is not altered by greater than 0.1 metres in any 12 month period or to the installation of underground network utilities undertaken in accordance with (c) below.
- (b) Within a Flood Hazard Overlay Area, the erection, placement, alteration of, or addition to any non-habitable structure, with an unsealed or permeable floor shall not exceed a gross floor area of 40m².
Exceptions
- (i) The above two standards (a) and (b) do not apply to any soil conservation and river/flood control works carried out or on behalf of, Horizons Regional Council.
- (ii) The standard in (b) above does not apply to non-habitable structures/buildings or activities for primary production activities. For the purpose of this rule, "non-habitable" means a structure where people will not sleep.
- (c) Within a Flood Hazard Overlay Area (excluding Moutoa Floodway), earthworks associated with the installation of underground network utilities shall reinstate ground level as close as practicable to its state prior to disturbance and the standards in (a) above do not apply.
- (d) Within a Flood Hazard Overlay Area (excluding Moutoa Floodway), new network utility cabinets/buildings shall not exceed 5m² gross floor area.

18.6.14 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.

18.6.15 Unsightly Buildings

- (a) No building shall be left unfinished or be permitted to deteriorate such that its external appearance adversely affects the amenity of the neighbourhood in which it is situated.

18.6.16 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

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- “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.

18.6.17 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 in accordance with Chapter 24.

18.6.18 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.

18.6.19 Surfacewater Disposal

- (a) All activities shall make provision for the management of stormwater as means of dealing with water quantity and water quality to avoid significant adverse effects or nuisance.

18.6.20 Engineering Works

- (a) All activities subdivisions and developments shall comply with the permitted activity conditions in Chapter 24.

18.6.21 Vehicle Access

- (a) All activities shall be provided with practicable vehicle access from a public road in accordance with the permitted activity conditions in Chapter 21.

18.6.22 Vehicle Parking, Manoeuvring, and Loading

- (a) All activities shall provide onsite vehicle parking spaces, manoeuvring areas, and loading facilities in accordance with the permitted activity conditions in Chapter 21.

Note: Chapter 21 does not specify a minimum number of onsite carparks required (except for mobility/accessible carparks). Instead, it specifies the formation and manner in which carparking should be provided, in the event that those carrying out land use or subdivision activities choose to provide on-site carparking.

18.6.23 Safety and Visibility at Road and Rail Intersection

- (a) No building or structure shall be erected, no materials shall be placed, or vegetation planted that would obscure the railway level crossing approach sight triangles as detailed in Rule 21.1.11 in Chapter 21.

18.6.24 Network Utilities and Energy

- (a) All network utilities and structures associated with network utilities shall comply with the permitted activity conditions in Chapter 22.

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- (b) All other permitted activity conditions specified in this Chapter of the District Plan shall also apply to any new network utility or associated structure.

18.6.25 Hazardous Substances

- (a) All activities using or storing hazardous substances shall comply with the Hazardous Substances Classification parameters for the Greenbelt Residential Zone in Chapter 23 and shall comply with all relevant permitted activity standards in that Chapter.

18.6.26 Signs

- (a) All signs shall comply with the Maximum Face Area set out in Table 18-1.

Table 18-1: Maximum Face Area for Signs

Type of Sign	Maximum Face Area (m ²) per site
Official signs	N/A
Temporary signs	3m ²
Signs advertising the sale or auction of land or premises	2m ² (combined total area of signs)
Advertising signs, located on the site to which the activity relates identifying the building, property or business which can include a sign attached to the building	1m ²
A permanent free standing sign, which may be double sided, for each frontage of the site	1m ² (on one side)
Public facility signs including any church, school or hall	2m ²
Health and safety signs	N/A

- (b) Any temporary sign shall be displayed for no longer than two (2) calendar months of a 12 month period and removed within seven (7) days after the event. Temporary signs do not need to be on the site of the temporary activity.
- (c) Signs advertising the sale or auction of land or premises shall be removed within 10 days of the property being sold, leased or withdrawn from the market.
- (d) All signs shall comply with the height, and where applicable, recession plane requirements, but shall not be required to comply with rules relating to setbacks from road boundaries.
- (e) No sign shall be illuminated.
- (f) No signs attached to a building shall exceed the highest point of the roof.
- (g) No sign shall be erected on or adjacent to a road which will:
- (i) obstruct the line of sight of any corner, bend, intersection or vehicle crossing;
 - (ii) obstruct, obscure or impair the view of any traffic sign or signal;

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- (iii) physically obstruct or impede traffic or pedestrians;
 - (iv) resemble or be likely to be confused with any traffic sign or signal;
 - (v) use reflective materials that may interfere with a road user's vision;
 - (vi) use flashing or revolving lights; or
 - (vii) project light onto the road so as to cause a hazard or distraction to users of the road (including pedestrians).
- (h) The minimum lettering sizes in below shall apply to all signs located within 15 horizontal metres of a road:

Table 18-2: Minimum Lettering Sizes for Signs

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

18.6.27 Notable Trees

- (a) Any removal or partial removal of a tree listed in Schedule 3 - Notable Trees shall comply with the following conditions:
- (i) Council has confirmed the tree is dead; or
 - (ii) Removal or partial removal is required as an emergency work to safeguard life or habitable buildings from immediate danger (as confirmed by a qualified arborist).
- (b) Within the drip line of any tree listed in Schedule 3 - Notable Trees, any activities shall not involve the following works:
- (i) The construction of any building or structure.
 - (ii) The laying of overhead or underground services.
 - (iii) Any sealing, paving, soil compaction, or any other impervious surfaces.
 - (iv) The alteration of existing ground levels by excavation or deposition of soil including thrust boring and directional drilling.
 - (v) The discharge of any toxic hazardous substance.
- (c) Any trimming and maintenance of a tree listed in Schedule 3 - Notable Trees shall be limited to:
- (i) Minor trimming necessary to maintain the health of the tree where the work is carried out by, or under the supervision of, a qualified arborist who has advised the Council in advance of the work to be carried out.

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- (ii) the removal of branches interfering with buildings, structures, overhead wires or utility networks, but only to the extent that they are touching those buildings, or structures, or likely to compromise the effective operation of those overhead wires or utility networks and only where the work is carried out by, or under the supervision of a qualified arborist who has advised the Council in advance of the work to be carried out..
- (iii) The removal of broken branches, dead wood or diseased vegetation (as confirmed by a qualified arborist).
- (iv) Required as an emergency work.

18.6.28 Sites of significance to Tangata Whenua

- (a) No activity or development shall modify, demolish or remove any site of significance to Māori where such site has been identified to Council and recorded by the Council in a register of sites prior to the time that any activity or development is proposed.

18.6.29 Temporary Activities

- (a) In addition to the other permitted activity conditions, temporary events, including, but not limited to, festivals, sports events, and markets; shall comply with the following conditions:
 - (i) the duration of any temporary event shall not exceed seven (7) consecutive days. For the purpose of this rule, 'day' means a whole day, or part of a day;
 - (ii) any temporary event shall operate between the hours of 7.00am – 10.00pm;
 - (iii) the duration of a series of temporary events shall not exceed a cumulative period of 30 days in a calendar year;
 - (iv) all temporary buildings and structures are exempt from the maximum height and maximum building coverage standards set out in 18.6.2 and 18.6.6; and
 - (v) noise from any temporary events shall not exceed the following noise levels, at any site in the Residential Zone, at the notional boundary of any noise sensitive activity within the Rural Zone, or anywhere within the site boundary of any noise sensitive activity within the Commercial, Industrial, Open Space or Greenbelt Residential Zones:
 - Amplified Sound including sound testing: 80dB_{L_{Aeq}} (10 mins).
 - Activities other than amplified sound: 70dB_{L_{Aeq}} (10 mins).
 - Crowd noise is exempt from these limits.
- (b) In addition to the other permitted activity conditions, temporary filming activities, shall comply with the following:
 - (i) The total occupation of the site for filming activities shall not exceed seven (7) consecutive days.
 - (ii) All temporary buildings and structures are exempt from the maximum height and maximum building coverage standards set out in 18.6.2 and 18.6.6.

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18.6.30 Temporary Military Training Activities

(a) All temporary military training activities shall comply with the following conditions:

- (i) No permanent structures shall be constructed.
- (ii) The activity shall not require excavation (permanent or mechanical), unless provided for in this District Plan.
- (iii) The duration of any temporary military training activity shall not exceed 31 consecutive days.
- (iv) Noise generated from mobile sources (other than weapons firing and use of explosives) shall be assessed in accordance with and not exceed the limits as set out in Table 2 of NZS 6803:1999 Acoustics - Construction noise.

Noise levels shall be measured and assessed in accordance with that Standard as if it were construction noise.

(v) Noise generated from any fixed source (other than weapons firing and/or use of explosives) shall not exceed the following limits when measured at the site boundary:

- On any day -
 - 7.00am – 7.00pm: 55 dB $L_{Aeq(15min)}$
 - 7.00pm – 10.00pm: 50 dB $L_{Aeq(15min)}$
 - 10.00pm – 7.00am: 45 dB $L_{Aeq(15min)}$
 - 10.00pm – 7.00am: 75 dB L_{AFmax}

Noise levels shall be measured and assessed in accordance with the provisions of NZS 6801:2008 Acoustics - Measurement of environmental sound and assessed in accordance with the provisions of NZS 6802:2008 Acoustics - Environmental noise.

(vi) Noise generated from the use of helicopters shall be assessed in accordance with NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas and comply with the limits set out therein.

Noise levels shall be measured in accordance with NZS6801:2008 Acoustics - Measurement of Sound.

(vii) Any training activities involving the use of explosives and/or firing of weapons shall comply with either:

- The separation distances identified in Table 18-3; or
- If minimum separation distances in Table 18-3 cannot be met:
 - Daytime sound levels do not exceed a peak sound pressure level of 120 dBC when measured at the site boundary; and

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- Night time sound levels do not exceed a peak sound pressure level of 90 dBC when measured at the site boundary; and
- Provided the New Zealand Defence Force produces and undertakes the activity in accordance with a Noise Management Plan submitted to the Council at least 15 working days prior to the activity being undertaken (refer 28.2.6 for information requirements for Noise Management Plan).

Table 18-3: Separation Distances for Temporary Military Training Activities involving explosives and/or weapons.

Type of military noise source	Standards	
	Time (Monday to Sunday)	Separation distance required from any site within the Greenbelt Residential Zone.
1. Live firing of weapons and single or multiple explosive events	7.00am to 7.00pm (daytime hours)	At least 1500m
	7.00pm to 7.00am (night time hours)	At least 4500m
2. Firing of blank ammunition	7.00am to 7.00pm (daytime hours)	At least 750m
	7.00pm to 7.00am (night time hours)	At least 2250m

18.6.31 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.

18.6.32 National Grid Corridor

- (a) No building or sensitive activity shall be located closer than:
- (i) 10 metres either side of the centreline of any high voltage (110kV) transmission line shown on the Planning Maps.
 - (ii) 12 metres either side of the centreline of any high voltage (220kV or more) transmission line shown on the Planning Maps.
 - (iii) 12 meters from the outer edge of any support structure of any high voltage transmission line shown on the Planning Maps.

Note: The requirements of New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP34:2001) also need to be met and contact should be made with the line owner.

Exceptions:

The following are exempt from the setback requirements in Rule 18.6.32(a):

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- Fences up to 2.5 metres in height
- Mobile machinery and equipment
- Utilities within a road or rail corridor and electricity infrastructure
- Crop support structures and crop protection structures that meet the requirements of New Zealand Electrical Code of Practice of Electrical Safety Distances (NZECP 34:2001) for minimum distance beneath conductors and are 12 metres from the support structure of high voltage transmission lines.
- Crop support structures and crop protection structures (including any connected catenary or support cables or wires) that are at least 8 metres from the outer edge of a pole (not tower) support structure of high voltage transmission line and that:
 - Meet the requirements of New Zealand Electrical Code of Practice for Electrical Safe Distances (NZECP 34:2001) for minimum distance beneath conductors: and
 - Are no more than 2.5 metres high; and
 - Are removable or temporary, to allow a clear working space 12 metres from the pole when necessary for maintenance purposes; and
 - Allow all weather access to the pole and a sufficient area for maintenance equipment, including a crane.
- Non-habitable buildings associated with primary production activities (excluding milking sheds) that meet the requirements of New Zealand Electrical Code of Practice of Electrical Safety Distances (NZECP 34:2001) for minimum distance beneath conductors and are 12 metres from the support structure of high voltage transmission lines.
- Recreation activities and facilities.

(b) Earthworks

(i) Earthworks around Poles shall be:

- No deeper than 300mm within 2.2 metres of a transmission pole support structure or stay wire; and
- No deeper than 750mm between 2.2 to 5 metres from a transmission pole support structure or stay wire.

Except that:

Vertical holes not exceeding 500mm diameter beyond 1.5 metres from the outer edge of a pole support structure or stay wire are exempt from 18.6.32(b) above.

(ii) Earthworks around Towers shall be:

- No deeper than 300mm within 6 metres of the outer visible edge of a transmission tower support structure; and

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- No deeper than 3 metres between 6 to 12 metres from the outer visible edge of a transmission tower support structure.
- (iii) Earthworks 12 metres either side of a high voltage transmission line shall not:
- Create an unstable batter that will affect a transmission support structure; and/or
 - Result in a reduction of the existing conductor clearance distances as required by NZECP34:2001.

Exceptions:

The following activities are exempt from 18.6.32 (b)(i), (b)(ii) and (b)(iii) above:

- Earthworks undertaken by a Network Utility operator; or
- Earthworks undertaken as part of agricultural or domestic cultivation, or repair, sealing or resealing of a road, footpath or driveway. For the purposes of clarification, this does not include drilling bores, digging of pits, and burials of dead stock and plant waste and installation of services.

18.6.33 Relocated Buildings

- (a) The relocated building shall be up to and including 40m² in gross floor area; or
- (b) The relocated building shall be intended for use as a residential dwelling or family flat and be originally designed, built and used as a residential dwelling; and comply with the following:
- (i) A building pre-inspection report shall be submitted by the owner of the relocated building (referred to in this rule as "the Owner") to the Planning Services Manager at the same time as an application is made for a building consent for the relocated building. That report shall be on the form in Schedule 15 and is to identify all reinstatement works that are to be completed to the exterior of the building.
- (ii) The building pre-inspection report shall be prepared by:
- A Horowhenua District Council Building Compliance Officer (or equivalent);
 - A member of the New Zealand Institute of Building Surveyors;
 - A licensed building practitioner (carpenter or design category); or
 - A building inspector from the local authority where the building is being relocated from.
- (iii) The Owner must deposit a refundable monitoring fee of \$1500 with the Council at the same time as submitting the building pre-inspection report with the Council.

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- (iv) The relocated building shall be located on permanent foundations approved by building consent, no later than 2 months from the building being moved to the site.
- (v) All reinstatement work required in the Condition Table in Section 2.0 of the building pre-inspection report to reinstate the exterior of any relocated building shall be completed within 9 months of the building being delivered to the site.
- (vi) The Owner must complete the Owner Certificate and Declaration in Section 7.0 of the building pre-inspection report to certify to the Council that all of the reinstatement work will be completed within 9 months of the building being delivered to the site.

Note: Photographs showing progress of reinstatement works may be provided to Council's Environmental Compliance Officer. A final site inspection will still be required to determine compliance on completion of reinstatement works.

18.7 MATTERS OF CONTROL AND CONDITIONS FOR CONTROLLED ACTIVITIES

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

18.7.1 Subdivision of Land (Refer to Rule 18.2(a))

(a) Matters of Control

- (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. 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, access over or under railway lines, the diversion or alteration of any existing roads, the provision of access, passing bays, manoeuvring areas, and any necessary easements.
- (iii) The provision of servicing, including water supply, wastewater systems, stormwater management and disposal, streetlighting, telecommunications and electricity.
- (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 and historical sites.
- (vi) The protection and enhancement of any natural habitat of indigenous species within the subdivision.
- (vii) Site contamination remediation measures and works.
- (viii) Avoidance or mitigation of natural hazards.

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- (ix) Management of construction effects, including traffic movements, hours of operation, noise, earthworks and erosion and sediment control.
- (x) The management of potential reverse sensitivity effects, including but not limited to noise, vibration, odour, dust and visual effects.
- (xi) The staging of development and timing of any works.
- (xii) The development is generally in accordance with any applicable Structure Plan in Schedule 8.
- (xiii) Subdivision design is generally in accordance with the Greenbelt Residential Design Guide (Schedule 7).
- (xiv) Compliance with the Council's Subdivision and Development Principles and Requirements (Version July 2014).
- (xv) Those matters described in Section 108 and 220 of the RMA

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

(b) Conditions

- (i) Minimum Allotment Area and Shape:
 - Each allotment shall comply with the following site area and shape factor standards in Table 18-4.

Table 18-4: 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 Waitarere Rise Overlay	4000 square metres	55 metres diameter (excluding any areas subject to rights of way)

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.

- (ii) Water Supply, Wastewater Disposal, and Other Services: All subdivisions shall comply with the requirements as specified set out in Chapter 24.

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- (iii) Roads and Access: All subdivisions shall comply with the requirements as specified in Chapter 21.
- (iv) Network Utilities Lots: There shall be no minimum site area requirements for lots for network utility purposes.
- (v) Structure Plan: All subdivisions shall be in accordance with the requirements of the Structure Plan for the area in Schedule 8.
- (vi) 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:
 - Covenancing 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.

18.7.2 Boundary Adjustment - Flood Hazard Overlay Areas (Refer Rule 18.2(c))

- (a) Matters of Control
 - (i) The probability and magnitude of the natural hazard event, and the type, scale and distribution of the risks from the natural hazard. Includes consideration of the influence of climate change, adopting a precautionary approach for the frequency and intensity of events.
 - (ii) The location, nature, scale and design of the allotments, their intended use, and the degree to which people or property are put at risk as a result of the subdivision.
 - (iii) Avoidance or mitigation measures to address the risks from natural hazards.
 - (iv) The effects of the mitigation measures in terms of any increasing the likelihood of erosion, inundation or any other hazard event occurring, or increasing its magnitude on the site and to other properties which may or may not currently be at risk from the effects of the natural hazards.

18.7.3 Road-Side Sales Activities (Refer Rule 18.2(d))

- (a) Matters of Control
 - (i) The location of buildings.
 - (ii) The location of entrance and exit lanes and the configuration and dimensions of access driveways and vehicle parking (if this is chosen to be provided) and turning areas.
 - (iii) The location and design of any advertising sign.

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(b) Conditions

- (i) The maximum gross floor area of premises used for retail sales shall not exceed 50m²
- (ii) In all other respects, road-side sales activities shall comply with the relevant conditions for permitted activities.

18.7.4 Relocated Buildings (Refer Rule 18.2(e))

(a) Matters of Control

- (i) The length of time taken to re-construct, repair, or refurbish the building.
- (ii) 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;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) 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.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) 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 Group Manager – Customer and Community Services 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.

(c) Non-Notification

- (i) Under section 77D of the RMA, an activity requiring resource consent under Rule 18.7.4 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b).

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18.7.5 Historic Heritage – Buildings (Refer to Rule 18.2(f))

- (a) Matters of Control
 - (i) The potential effects of earthquake strengthening work on the heritage values associated with the building.

18.7.6 Temporary Filming Activities (Refer to Rule 18.2(g))

- (a) Matters of Control
 - (i) The hours of operation of the temporary filming activity.
 - (ii) The size and positioning of temporary buildings and structures.
 - (iii) The provisions of safe and efficient vehicular access and car parking for staff (if this is chosen to be provided), service delivery and customers or the public.
 - (iv) Where appropriate, the provision of safe pedestrian entry and exit.
 - (v) The provision for waste collection, storage and site cleanup.
 - (vi) The actual and potential adverse effects on the amenity of the surrounding environment, and any measures to avoid, remedy or mitigate these effects.
 - (vii) The actual and potential adverse effects on the safety and efficiency of the road network, and any measures to avoid, remedy or mitigate these effects.
 - (viii) The actual and potential adverse effects on recreation, heritage or cultural values, and any measures to avoid, remedy or mitigate these effects.
- (b) Conditions
 - (i) The duration of the temporary filming activity shall not exceed 31 consecutive days. For the purpose of this rule, 'day' means a whole day, or part of a day.
 - (ii) Submit a draft management plan demonstrating how the temporary filming activity avoids, remedies or mitigates adverse effects on local amenity. The scale and detail of this draft management plan is to be commensurate with the scale of the temporary filming activity and the nature of the potential effects on local amenity.

18.7.7 Temporary Military Training Activities (Refer to Rule 18.2(h))

- (a) Matters of Control
 - (i) The size and positioning of buildings and structures;
 - (ii) The measures used to avoid, remedy or mitigate adverse effects from excavation;
 - (iii) Methods to manage effects on the amenity and character of the area as a result of non-compliance with the noise and duration permitted activity conditions;

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- (iv) The actual and potential adverse effects on the safety and efficiency of the road network, as a result of additional traffic generation for a prolonged period of time; and
- (v) The provision of safe and efficient vehicular access and on-site car parking (if this is chosen to be provided) to avoid, remedy or mitigate potential traffic effects.

18.8 MATTERS FOR DISCRETION AND CONDITIONS FOR RESTRICTED DISCRETIONARY ACTIVITIES

The matters over which the Council has restricted its discretion for each restricted discretionary activity, and the conditions for each activity, are detailed below:

18.8.1 Non-compliance with Permitted Activity Conditions (Rule 18.6) and Permitted Activity Conditions in Chapters 21, 22, 23 and 24. (Refer to Rule 18.3(a):

- (a) Matters of Discretion
 - (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that is not met, except where specifically identified in other rules below.

18.8.2 Non-Compliance with Controlled Activity Conditions Rule 18.7 (Refer to Rule 18.3(b))

- (a) Matters of Discretion
 - (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that is not met, except where specifically identified in other rules below.

18.8.3 Road Setback (Rule 18.3(a))

- (a) Matters of Discretion
 - (i) The effect of the design and appearance of the building on the overall streetscape, amenities and character of the locality.
 - (ii) The effect of the proposal on the safety, efficiency, or convenience of any adjoining road or footpath.
 - (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.

18.8.4 Home Occupations (Refer to Rule 18.3(a))

- (a) Matters of Discretion

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- (i) Avoiding, remedying or mitigating of any effects deriving from non-compliance with the particular condition(s) that are not met.
- (b) Conditions
 - (i) The total floor area dedicated to home occupations on a site, shall not exceed 70m².

18.8.5 Fencing (Refer Rule 18.3(a))

- (a) Matters of Discretion
 - (i) The height, design and visual appearance of the fence
 - (ii) The impact of the fence on the existing street character
 - (iii) The visual contribution the fence makes to the streetscene
 - (iv) The impact that the fence may have on the perceived safety of motorists and pedestrians
- (b) Non-Notification
 - (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 18.8.5 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

18.8.6 Flood Hazard Overlay Areas (Refer to Rule 18.3(c))

- (a) Matters of Discretion
 - (i) The probability and magnitude of the natural hazard event, and the type, scale and distribution of the risks from the natural hazard. Includes consideration of the influence of climate change, adopting a precautionary approach for the frequency and intensity of events.
 - (ii) The location, nature, scale and design of the buildings, earthworks or allotments, its intended use, including whether the building, earthworks or use is temporary or permanent, and the degree to which people or property are put at risk as a result of the activity.
 - (iii) Avoidance or mitigation measures to address the risks from natural hazards.
 - (iv) The effects the mitigation measures in terms of increasing the likelihood of erosion, inundation or any other hazard event occurring, or increasing its magnitude, including to other properties which may or may not currently be at risk from the effects of the natural hazards.
 - (v) The effects on the effectiveness of existing flood hazard avoidance or mitigation measures, including works and structures within river and drainage

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schemes, natural landforms that protect against inundation, and overland stormwater flow paths.

18.8.7 Historic Heritage – Buildings (Refer Rule 18.3(d))

- (a) Matters of Discretion
 - (i) The potential effects of earthquake strengthening work on the heritage values associated with the building.

18.8.8 Historic Heritage – Signs (Refer Rule 18.3(e))

- (a) Matters of Discretion
 - (i) The colour and materials of any sign.
 - (ii) The design of any sign.
 - (iii) The location of any sign.
 - (iv) The size of any sign.
 - (v) The number of any signs.

18.8.9 Signs (Refer Rule 18.3(f) and 18.3(g))

- (a) Matters of Discretion
 - (i) The size, siting, design and content of the sign.
 - (ii) The effects on character and amenity values.
 - (iii) The likely duration that the sign will be in place.
 - (iv) The impact of the sign on traffic safety and the efficiency of the transport network.
 - (v) The approval of NZTA where the sign fronts a State Highway.
 - (vi) Cumulative effects arising from other signs in the vicinity.
- (b) Conditions

The maximum face area of a Community Entrance sign is 9.0m².
- (c) Non-Notification:

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- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 18.8.9 shall not be publicly notified, except where:
- The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

Note: For consent applications involving activities close to State Highways, NZTA may be an affected party for the purposes of limited notification.

18.8.10 Temporary Activities (Refer Rule 18.3(a) and 18.3(b))

(a) Matters of Discretion

- (i) The duration of the temporary activity, including daily hours of operation.
- (ii) The size and positioning of temporary buildings and structures.
- (iii) The provisions of safe and efficient vehicular access and car parking for staff (if this is chosen to be provided), service delivery and customers or the public.
- (iv) Where appropriate, the provision of safe pedestrian entry and exit.
- (v) The provision for waste collection, storage and site cleanup.
- (vi) The actual and potential adverse effects on the amenity of the surrounding environment, and any measures to avoid, remedy or mitigate these effects;
- (vii) The actual and potential adverse effects on the safety and efficiency of the road network, and any measures to avoid, remedy or mitigate these effects.
- (viii) The actual and potential adverse effects on the recreation, heritage or cultural values, and any measures to avoid, remedy or mitigate these effects.

(b) Conditions

- (i) Submit a draft management plan demonstrating how the temporary activity avoids, remedies or mitigates adverse effects generated by the activity.

18.8.11 Subdivision within 16 metres of the Centre Line of High Voltage Transmission Lines (Refer Rule 18.3(h))

(a) Matters of Discretion

- (i) Measures necessary to protect existing high voltage transmission lines and people's health and safety.

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- (ii) Impacts on the operation, maintenance, upgrade and development of the National Grid;
 - (iii) Whether a complying building platform is provided; and
 - (iv) The nature and location of any vegetation to be planted in the vicinity of the National Grid lines.
- (b) Non-Notification

In respect of Rule 18.3(h), for the purposes of notification/non-notification, Transpower New Zealand Limited may be identified as a potentially affected party.

18.8.12 Within the Greenbelt Residential Waitarere Rise Overlay, Non-Compliance with the Minimum Shape Factor (Rule 18.3(i))

- (a) Matters of Discretion
- (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.
- (b) Conditions:
- (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;
 - (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.

18.8.13 Subdivision within the Greenbelt Residential (Foxton Beach North Overlay) Zone (Rule 18.3(j))

- (a) Matters of Discretion
- (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

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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;
 - (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.
- (b) Conditions

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- (i) In the case of subdivision provided for in Rule 18.3(b), the activity shall comply with the following conditions:
- Minimum Allotment Area and Shape:
 - Each allotment shall comply with the following site area and shape factor standards in Table 18-5.

Table 18-5: 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.

- Minimum Average Lot Area and Open Space
 - Allotments created shall comply with the minimum average area per allotment set out in Table 18-6.
 - Each subdivision shall comply with the maximum and minimum open space requirements set out in Table 18-6.

Table 18-6: 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.

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- 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.

(c) Notification

- (i) 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.

18.8.14 Relocated Buildings (Refer Rule 18.3(k))

(a) Matters of Discretion

- (i) The length of time that will be taken to re-construct, repair, or refurbish the building.
- (ii) 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;
 - reinstatement of that part of a dwelling where a chimney has been removed;
 - reinstatement of the site and access to the site; or
 - details and length of time to complete site landscaping.
- (iii) 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.

(b) Conditions

- (i) Relocated buildings shall comply, in all respects, with the relevant permitted activity conditions in other parts of the District Plan.
- (ii) The bond shall be paid prior to the movement of the building to its new site, and shall be to the value of the reinstatement work required, as assessed by a suitably qualified person approved by the Group Manager – Customer and Community Services 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.

(c) Non-Notification:

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- (i) Under Section 77D of the RMA, an activity requiring resource consent under Rule 18.8.14 shall not be publicly notified, except where:
 - The Council decides special circumstances exist (pursuant to Section 95A(4)), or
 - The applicant requests public notification (pursuant to Section 95A(2)(b)).

18.8.15 Earthworks within National Grid Corridor (Rule 18.3(I))

- (a) Matters of Discretion
 - (i) Impacts on the operation, maintenance, upgrade and development of the National Grid.
 - (ii) Compliance with NZECP34:2001.
 - (iii) The risk to the structural integrity of the National Grid.
 - (iv) Any impact on the ability of the National Grid owner (Transpower) to access the National Grid.
 - (v) The risk of electrical hazards affecting public or individual safety, and the risk of property damage.

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(i) or 18.4(e) 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.

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