

**Before the Hearings Panel
At Waimakariri District Council**

Under Schedule 1 of the Resource Management Act 1991

In the matter of the Proposed Waimakariri District Plan

Between **Various**

Submitters

And **Waimakariri District Council**

Respondent

**Council reply on TEMP - Ngā mahi taupua - Temporary Activities – Brooke
Benny on behalf of Waimakariri District Council**

Date: 30th April 2024

INTRODUCTION:

- 1 My full name is Brooke Benny. I am employed as an Intermediate Planner for Waimakariri District Council. I am the Reporting Officer for TEMP - Ngā mahi taupua - Temporary Activities topic and prepared the s42A Report.
- 2 I have read the evidence and tabled statements provided by submitters relevant to the Section 42A Report - TEMP - Ngā mahi taupua - Temporary Activities.
- 3 I have prepared this Council reply on behalf of the Waimakariri District Council (**Council**) in respect of matters raised through Hearing Stream 11.
- 4 Specifically, this statement of evidence relates to the matters in the Section 42A Report - TEMP - Ngā mahi taupua - Temporary Activities.
- 5 I am authorised to provide this evidence on behalf of the District Council.

QUALIFICATIONS, EXPERIENCE AND CODE OF CONDUCT

- 6 Appendix D of my section 42A report sets out my qualifications and experience.
- 7 I confirm that I am continuing to abide by the Code of Conduct for Expert Witnesses set out in the Environment Court's Practice Note 2023.

SCOPE OF REPLY

- 8 This reply follows Hearing Stream 11 held on 15th April 2024. Minute 23 of the Hearing Procedures allows for s42A report authors to submit a written reply by 4pm Monday 6th May 2024.
- 9 The main topics addressed in this reply include:
 - Response to written questions posed by the Panel set out in Minute 23;

- Response to verbal questions that arose during the hearing; and
- Matters remaining in contention

10 **Appendix 1** has a list of materials provided by submitters including expert evidence, legal submissions, submitter statements etc. This information is all available on the Council website on the Proposed District Plan Hearings webpage.

11 **Appendix 2** has recommended amendments to PDP provisions, with updated recommendations differentiated from those made in Appendix A of the s42A report.

12 **Appendix 3** has an updated table of recommended responses to submissions and further submissions, with updated recommendations differentiated from those made in Appendix B of the s42A report.

Response to written questions posed by the Hearings Panel

Question 1 - Please provide your planning assessment as to whether a TMTP that has been approved by the relevant roading authority could be considered as a condition of a permitted activity rule.

13 I consider that there are a number of issues that arise by including a Temporary Management Traffic Plan (TMTP) approved by the relevant roading authority as a condition of a permitted activity rule for an activity generating 250 vehicle movements or greater per day. In my view, amending TEMP-R4(5) in the Temporary Activities chapter would create an administrative burden on the Council as it would require a system for viewing of a TMTP to confirm the activity is permitted.

14 I consider that a standard permitting 250 or greater vehicle movements per day provided a TMTP is approved by the roading authority may not directly relevant to the effects, be difficult to implement and potentially be ultra vires. In my view, TMTP's do

not appropriately address all matters relevant to any temporary activity that exceeds 250 or greater vehicle movements per day.

15 Firstly, I note that the Proposed District Plan does not include a definition of TMTP. Thus, to provide for such a permitted rule within the Proposed Plan would require the addition of a definition of TMTP. I note that the guidance documents of the *Code of Practice for Temporary Traffic Management (CoPTTM)*, *New Zealand Guide to Temporary Traffic Management (NZGTTM)* and *WorkSafe's Keeping Health and Safe While Working on the Road and Roadside Good Practice Guide* includes a definition of 'Traffic Management Plan', as set out below, which could be utilised.

"A document describing the design, implementation, maintenance, and removal of temporary traffic management (TTM) while the associated activity is being carried out within the road reserve or adjacent to and affecting the road reserve."

16 However, I note that these documents are guidance documents that therefore do not have the legal requirements of a District Plan, thus, the definition may require amending if utilised in the Proposed Plan. Amendments are likely to be required to ensure the definition is highly detailed to include what is expected to be provided within a Management Plan. Or alternatively, a definition (which may be worded as per the guidance documents mentioned above) as well as a highly descriptive standard would be required. However, I consider that given temporary activities range in their types of effects on the roading network, that a highly descriptive definition or a highly descriptive standard and a less descriptive definition poses challenges to word that sufficiently and appropriately caters for all temporary activities.

17 Secondly, I consider TMTP's become less fit-for-purpose the further removed an activity is from road works. I consider that an event such as an athletics event is partially removed from road works. I consider that filming is more removed (i.e. the

activity has less in common in terms of set up and effects) from road works. Therefore, in my view, this solidifies my comment in the preceding paragraph that a highly descriptive definition or a highly descriptive standard and less descriptive definition would be required to adequately address what is sought to be included in any TMTP. The definition of TMTP would need to be appropriate to a range of differing activities that have differing levels and types of effects on the roading network.

18 Thirdly, I consider that there are often resultant effects on the roading network for activities that result in 250 vehicle movements or greater per day that are not provided for in a TMTP. I consider that assessment of these resultant effects is provided for as part of a resource consent, which are not generally required in a TMTP. This may include the structural integrity of any accessway serving the activity and whether sufficient manoeuvring space on site is provided to ensure traffic does not utilise the road for parking and manoeuvring owing to a lack of space for such activities on site. Matters such as these can be appropriately assessed for site suitability and the practicality in regard to the exceedance of vehicle movements through conditions of consent.

19 Thus, I do not recommend the inclusion of a standard within the Proposed Plan that provides for TMTP approved by the relevant roading authority as a condition of a permitted activity rule. I remain of the opinion that the overarching structure of a resource consent is the most appropriate way to determine what is to be considered and contained in a TMTP for any particular temporary activity. Furthermore, I consider that this gives greater effect to TEMP-O1 to enable temporary activities where adverse effects are minimised.

Question 2 - Please revisit your answer to paragraphs 134 to 137 taking into account the Panel's questions in respect to the definition of site and the relevance of one year to the rule.

20 My understanding is that TEMP-R5 allows military training activities to be undertaken as a permitted activity on the same site on multiple occasions for a maximum period of 31 consecutive days (at each time), with subsequent restoration required within the seven days of the activity ceasing, to which thereafter TMTA can recommence for another maximum of 31 consecutive days at any one site.

21 There was some discussion at the hearing about the use of the word 'site' in TEMP-R5(1), in regard to multiple sites being utilised by NZDF that can occasionally be under different ownership. For the reasons set out below, I do not consider that the amendment or replacement of 'site' is necessary.

22 I note that the Partially Operative Selwyn District Plan (POSDP) includes a rule (TEMP-REQ3(1)) which limits the duration and siting of TMTA. The rule reads as:

"Military or emergency management training activities shall not exceed a period of 31 consecutive days on any site, excluding up to seven consecutive days for set-up and up to seven consecutive days for pack-out activities."

23 I note that the above wording of TEMP-REQ3(1) was supported by NZTA as set out in their submitters evidence as part of the Proposed Selwyn District Plan Hearings process. I note that the duration is limited to 31 consecutive days within both the POSDP and the Waimakariri Proposed District Plan. The siting is limited to 'on any site' within the POSDP, which I consider seeks to achieve the same outcome as the wording 'any one site' in the recommended TEMP-R5(1). As such, I consider that the inclusion of 'site', within the recommended TEMP-R5(1), provides for consistency with a recently updated, neighbouring District Plan.

24 I consider that TMTA are likely to occur on vast areas of rural land which, in my view, provides sufficient land for TMTA to take

place on a 'site', or more than one, as per the definition, without profoundly restricting the activity from practically being able to occur.

25 I further note that the definition of 'site' is a National Planning Standard definition, is well understood and easy to administer. Therefore, to amend this definition, to provide for TMTA to occur on multiple sites under different ownership which the definition does not currently provide for, would not implement the National Planning Standards Definitions Standard.

26 Furthermore, NZDF [166.25] sought to delete the reference in TEMP-R5(1) to "at any one site". However, NZDF outlines in their tabled submitter evidence that *"Having considered the s42A Report, NZDF agrees with the reporting planner's interpretation. NZDF therefore supports the reporting planner's recommended wording of TEMP-R5(1)."* As such, the recommendation to retain TEMP-R5(1) as recommended is supported by NZDF. I note there was some discussion at the hearing about TMTA and TEMP-R5(1) restricting such activities 'across the period of one year'. I note that this reference in the Council Officer's Preliminary Response to written questions is an error. TEMP-R5(1) does not limit TMTA (and subsequently ESTA owing to the recommended amendment to include this activity in the heading of TEMP-R5(1)) to within any given year, as no specific wording such as "any given year" is used. I note that this approach is consistent with the Partially Operative Selwyn District Plan in that the permitted duration includes no reference to a given year.

27 I note that I have spoken with a Waimakariri District Council's Planning Delegated Officer (Planning Team Leader) and Planning department staff. It was determined that if TMTA were to occur on one site for 31 consecutive days, with subsequent restoration within seven days of the activity ceasing, and recommence for another maximum of 31 consecutive days thereafter, and this is repeated multiple times in a row, then this activity would not be

considered a temporary activity. The activity would not be considered as infrequent and temporary and therefore it would be assessed as a permanent activity.

28 I consider that there is insufficient scope within the submissions received on the Temporary Activities chapter to amend TEMP-R5(1) to restrict TMTA to 31 consecutive days *each calendar year* to reduce the number of permitted occurrences of the activity each year.

29 Given the above, I do not recommend any changes to TEMP-R5(1) as recommended.

Question 3 - Please confirm whether a TMTA under TEMP-R5 will still be subject to the rules contained in the ECO chapter.

30 As outlined in my S42A report (para 139), TMTA are subject to the same SNA rules around indigenous vegetation clearance as other activities subject to the Temporary Activities chapter. I note that other rules, other than those related to indigenous vegetation clearance, within the ECO chapter apply to TMTA as well. The provisions of the ECO chapter being subject to any temporary activity are provided for in the 'Introduction' section under 'Other potentially relevant District Plan provisions.

Response to verbal questions posed by the Hearings Panel during the hearing and matters remaining in contention:

31 There was some discussion at the hearing about the matters for discretion for TMTA in the ECO chapter. I note that ECO-MD1 applies to TMTA, only if TMTA seek to undertake indigenous vegetation clearance. I further note that 11 submissions on ECO-MD1 were received, with none of these submissions relating to TMTA. Most of the submissions received seek the addition of other specific matters.

32 Further, I note that in relation to TEMP-R5, TEMP-MD1 includes the wording '*including earthworks*'. I consider that this is appropriate to be applicable to TEMP-R5 given that the heading

of this rule is recommended to include *'including ancillary buildings and structures'* for TMTA. I further note that ESTA is recommended to be included in the heading of TEMP-R5 and I consider that ancillary buildings and structures form a part of ESTA without explicitly outlining such in the recommended heading. Where effects are more permanent and exceed TEMP-R5(1), I consider the matters of discretion provide appropriate matters to consider. As such, I do not consider that there is potential contention of TMTA and the matters of discretion in the ECO and Earthworks chapters of the Proposed Plan.

33 There was some discussion at the hearing about NZDF seeking to remove the matters of discretion TEMP-MD2 to TEMP-MD4 relating to TEMP-R5. The Panel questioned, in regard to the recommended inclusion of 'unless otherwise permitted by the Plan' in the recommended TEMP-R5(2), whether I consider there is a difference of effects of those matters of discretion for temporary activities (TMTA) as opposed to the district wide matters covering them. I consider that the effects of TMTA are different in effects as TMTA are of a transient nature in terms of the effects they generate, as opposed to activities not applicable to the temporary activities chapter, being activities of a permanent, perpetual nature which are likely to generate a greater level of effects.

34 In my view, even with the recommended removal of the notified TEMP-R5(2), I consider that TEMP-MD2 to TEMP-MD4 are necessary and appropriate, for the reasons outlined in paragraphs 145 to 149 of the Section 42A report.

Date: 30th April 2024



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Brooke Benny
Waimakariri District Council

Appendix 1 – List of materials provided by submitters

1. Letter to be tabled at Hearing 11 on behalf of Christchurch International Airport Limited (CIAL) – submission #254
2. Letter to be tabled at Hearing 11 by Transpower New Zealand Limited – submission #195
3. Letter to be tabled at Hearing 11 by New Zealand Defence Force (NZDF) – submission #166
4. Letter to be tabled at Hearing 11 by Fire and Emergency New Zealand (FENZ) – submission #303

Appendix 2 – Recommended amendments to PDP provisions

In order to distinguish between the recommendations made in the s42A report and the recommendations that arise from this report:

- s42A recommendations are shown in red text (with underline and ~~strike out~~ as appropriate); and
- Recommendations from the preliminary response to written questions report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

Definitions

Amend point j. of the definition of 'temporary activities':

means an activity or event and any ancillary structures that:

1. *is infrequent, temporary, of short duration with a defined end time; and*
2. *creates no, or only negligible, lasting alteration or disturbance to any site, building or vegetation;*

it includes:

- a. *performances, celebrations, concerts;*
- b. *exhibitions;*
- c. *circuses;*
- d. *parades;*
- e. *holiday observances;*
- f. *fetes, fairs and carnivals;*
- g. *festivals;*
- h. *recreation and sporting events;*
- i. *filming;*
- j. *and other ~~types of~~ activities of ~~similar character-a~~ temporary nature and character;¹*

Temporary activity excludes markets and other activities held on a regular basis such as daily, weekly, fortnightly, or monthly, and temporary events ancillary to domestic scale residential activities.

Add the definition of 'emergency service training activity':

*'Emergency service training activity' means the training activities, operational support and other non-emergency activities undertaken by the New Zealand Police, Fire and Emergency New Zealand, and hospital and health services.*²

¹ Clampt Investment Limited [284.30] and Rolleston Industrial Developments Limited [326.31]

² FENZ [303.49]

TEMP - Ngā mahi taupua - Temporary Activities

Introduction

Temporary activities are short-term and infrequent such as fairs, festivals, filming and temporary military training activities. Temporary activities contribute to community and cultural well-being, and to the vibrancy of the District. However, they have the potential to generate adverse effects such as noise and traffic. These effects are generally tolerated because of they are short-term.

Temporary activities are exempt from complying with the rules in Part 3 - Area specific matters, unless specifically stated to the contrary. Temporary activities on land that contains an overlay may be subject to additional provisions in the relevant overlay chapter, including objectives and policies.

The provisions in this chapter are consistent with the matters in Part 2 - District Wide Matters - Strategic Directions and give effect to matters in Part 2 - District Wide Matters - Urban Form and Development.

Other potentially relevant District Plan provisions

As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to temporary activities include:

- Noise: this chapter contains provisions which manage noise, including Noise-R2 Temporary military training activity undertaken by the Ministry of Defence; Noise-R7 Temporary, mobile or intermittent agriculture activities emitting noise for cultivation, planting, harvesting, use of agricultural vehicles or equipment, and movement, handling and transport of livestock; [Noise-R8 Operation of an emergency service facility warning device](#); and Noise-R9 Temporary activities.
- Transport: this chapter contains transport provisions applicable to all activities in the District, as relevant.
- Energy and Infrastructure: ~~this chapter applies for temporary infrastructure.~~
 1. [this chapter provides for temporary activities \(refer to rule EI-R9 Use of temporary infrastructure\); and](#)
 2. [where a temporary activity is located within the National Grid Yard, rules EI-R51 Activities and development \(other than earthworks\) within a National Grid Yard, EI-R52 Earthworks and the disturbance of land for the installation of fence posts within a National Grid Yard, and EI-R52A Earthworks within a National Grid Yard apply.](#)³
- Light: this chapter contains specific provisions relating to glare and light spill and the management of effects on adjoining areas.
- Signs: this chapter contains provisions which manage signs ~~may be relevant for temporary activities~~, in particular Sign-R4 Any temporary sign for any temporary activity.
- Special Purpose Zone (Kāinga Nohoanga): how the Temporary Activities provisions apply in the Special Purpose Zone (Kāinga Nohoanga) is set out in SPZ(KN)-APP1 to SPZ(KN)-APP5 of that chapter.
- The General Residential Zone and the Rural Lifestyle Zone chapters contain rules for [land use activities on](#) the Oxford and Rangiora A&P

³ Transpower [195.110]

Showgrounds respectively. [Temporary activities on these Showgrounds sites not provided for by the relevant zone rule may be subject to any applicable rules in the Temporary Activities chapter.](#)

- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

Objectives	
TEMP-O1	<p>Temporary activities</p> <p>Temporary activities that contribute to the District’s vitality, economic prosperity, and community health, safety and well-being are enabled where adverse effects are minimised.</p>
Policies	
TEMP-P1	<p>Enabling temporary activities</p> <p>Enable temporary activities, and minimise adverse effects on the natural values, cultural values and amenity values of the surrounding environment, by ensuring:</p> <ol style="list-style-type: none"> 1. the location, timing, duration, frequency, scale and intensity of the temporary activity is consistent with the quality of the environment anticipated by the objectives and policies of any relevant zone or overlay; 2. adverse effects including noise, dust, light, shading, signs and traffic on any nearby activity are minimised to a level suitable for the time and location; 3. any traffic movements maintain safety for road users, pedestrians, cyclists and the public, and the efficiency of the transport system; 4. any natural, historic heritage or cultural values are protected from damage or destruction; and 5. remediation of the site, including the removal of waste is undertaken.

TEMP-P2	<p>Temporary activities and public spaces</p> <p>For public spaces:</p> <ol style="list-style-type: none"> 1. enable temporary activities, such as events, artworks, filming and mobile trading that support community and economic well-being within the District; and 2. control adverse effects from temporary activities located in public spaces where the activities are not managed by other legislation, management plans or bylaws.
TEMP-P3	<p>Temporary structures</p> <p>Enable temporary structures required for construction or demolition, and temporary storage of relocatable buildings where potential effects on the transport system, and amenity values of the surrounding environment are mitigated by limiting the duration, and in the case of any relocatable building, the location and connection to services.</p>
TEMP-P4	<p>Disaster management accommodation</p> <p>Enable temporary disaster management accommodation provided by civil defence or an emergency service organisation required to house people displaced by a disaster event, including in the time period before declaring a state of emergency.</p>
TEMP-P5	<p>Mobile trading</p> <p>Enable mobile trading where adverse effects on retail distribution and development within any Commercial and Mixed Use Zones, amenity values, and transport are minimised by controlling the location, duration and scale of mobile trading activities.</p>
<u>TEMP-P6</u> ⁴	<p><u>Temporary Military Training Activity</u></p> <p><u>Enable temporary military training activity and associated temporary structures and earthworks where potential adverse effects on amenity values and sensitive environments are remedied or mitigated by:</u></p> <ol style="list-style-type: none"> <u>1. limiting their duration; and</u> <u>2. ensuring restoration of the site is consistent with the quality of the environment anticipated by the objectives and policies of any relevant zone or overlay.</u>⁴

Activity Rules

TEMP-R1	Mobile trading ancillary to a temporary activity
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⁴ NZDF [166.23] and [166.24]

All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
TEMP-R2	Mobile trading	
<i>This rule does not apply to mobile trading provided for under TEMP-R1 and TEMP-R3.</i>		
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> mobile trading operates from the same site for a maximum cumulative period of eight hours in any 24 hour period; mobile trading operates a maximum of nine times from any site within a 12 month period; mobile trading operations are located a minimum of 3m from any internal boundary; and mobile trading shall comply with Table NOISE-2. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> TEMP-MD1 - Character and amenity values TEMP-MD2 - Transport TEMP-MD3 - Site alteration, disturbance and remediation TEMP-MD4 - Public safety and security
TEMP-R3	Mobile trading on public land	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
	<p>Advisory Note</p> <ul style="list-style-type: none"> A Mobile Trading Licence may be required for the occupation of public spaces. 	
TEMP-R4	Filming	

<p>All Zones</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum duration of the activity is 31 consecutive days at any one site within a 12 month period; 2. site preparation is a maximum of seven days before the activity; 3. site restoration is a maximum of seven days following the completion of the activity; 4. all temporary structures and equipment is removed from the site within seven days following completion of the activity; and 5. there is a total maximum of 250 vehicle movements per day. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> • TEMP-MD1 - Character and amenity values • TEMP-MD2 - Transport • TEMP-MD3 - Site alteration, disturbance and remediation • TEMP-MD4 - Public safety and security
<p>TEMP-R5 Temporary military training activity <u>(including ancillary buildings and structures)⁵ and emergency service training activity⁶</u></p>		
<p>All Zones</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. the maximum duration of the activity is 31 consecutive days at any one site, <u>excluding the set-up and pack-down of the activity up to one week prior to commencement and up to one week following completion⁷; and</u> 	<p>Activity status when compliance with TEMP-R5 (1) not achieved: CON</p> <p>Activity status when compliance with TEMP-R5 (2) or (3)¹⁰ not achieved: RDIS</p> <p>Matters of control or discretion are restricted to:</p> <ul style="list-style-type: none"> • TEMP-MD1 - Character and amenity values • TEMP-MD2 - Transport • TEMP-MD3 - Site alteration, disturbance and remediation

⁵ NZDF [166.25]

⁶ FENZ [303.49]

⁷ Waka Kotahi [FS110]

¹⁰ NZDF [166.25]

	<p>2. the activity is not located in any SNA;⁸</p> <p>3. <u>2.</u> the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing, <u>unless otherwise permitted by the Plan</u>⁹.</p>	<ul style="list-style-type: none">• TEMP-MD4 - Public safety and security
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⁸ NZDF [166.25]

⁹ NZDF [166.25]

TEMP-R6	Temporary storage of a <u>building or</u>¹¹ relocatable building	
General Rural Zone Rural Lifestyle Zone <u>Residential Zones</u> ¹² <u>Open Space and Recreation Zones</u> ¹¹ <u>Commercial and Mixed Use Zones</u> ¹¹ <u>Industrial Zones</u> ¹¹	Activity status: PER Where: <ol style="list-style-type: none"> 1. the <u>building or relocatable building</u>¹⁰ is temporarily being stored prior to <u>permanent siting on site or</u>¹³ transfer to another site; 2. a maximum of one <u>building or</u>¹⁰ relocatable building is stored on- site for a maximum of six months within any 24 month period; and; 3. during the storage period, the <u>building or</u>¹⁰ relocatable building is not connected to any water, wastewater, or electricity supply, and is not be fixed to the ground; and 4. the <u>building or</u>¹⁰ relocatable building meets the setback, building coverage and height rules for the zone in which the site is located. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> • TEMP-MD1 - Character and amenity values • TEMP-MD2 - Transport • TEMP-MD3 - Site alteration, disturbance and remediation • TEMP-MD4 - Public safety and security
	Advisory Note <ul style="list-style-type: none"> • Building consent may be required. 	
TEMP-R7	Any temporary building or structure incidental to construction work	

¹¹ House Movers [221.1, 221.2 and 221.3]

¹² House Movers [221.1]

¹³ House Movers [221.2]

<p>All Zones</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> every temporary building or structure is removed from the site within 31 days of completion of the building or construction works or after the Code of Compliance Certificate for the subject building or construction works has been issued, whichever occurs first. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> TEMP-MD1 - Character and amenity values TEMP-MD2 - Transport TEMP-MD3 - Site alteration, disturbance and remediation TEMP-MD4 - Public safety and security
<p>TEMP-R8 Disaster management accommodation</p>		
<p>All Zones</p>	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> the activity is required by the District Council or an emergency service, including when a state of emergency has not been declared; and the temporary use does not result in an existing activity on the site failing to comply, or increasing the degree of non-compliance of the existing activity, with a rule in the District Plan, or resource consent. This standard applies to any rules for the zone except for density rules. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> TEMP-MD1 - Character and amenity values TEMP-MD2 - Transport TEMP-MD3 - Site alteration, disturbance and remediation TEMP-MD4 - Public safety and security

	<p>Advisory Note</p> <ul style="list-style-type: none"> • The rules above apply to disaster management emergencies which may not be covered under other legislation. • Emergency powers under the Civil Defence Emergency Management Act 2002 apply once a state of emergency has been declared. 	
TEMP-R9	Temporary activity	
	<i>This rule does not apply to temporary activities provided for under TEMP-R1 to TEMP-R8.</i>	
All Zones	<p>Activity status: PER</p> <p>Where:</p> <ol style="list-style-type: none"> 1. there is a maximum duration of four consecutive days on any site plus a maximum of four consecutive days immediately prior to, and following, the activity for site preparation and restoration; 2. a maximum of nine temporary activities are permitted for any site within a 12 month period with a minimum separation of 21 days between each temporary activity; 3. the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing; <u>and</u> 4. there is a total maximum of 250 vehicle movements per day for any temporary activity. 	<p>Activity status when compliance not achieved: RDIS</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> • TEMP-MD1 - Character and amenity values • TEMP-MD2 - Transport • TEMP-MD3 - Site alteration, disturbance and remediation • TEMP-MD4 - Public safety and security
	<p>Exemption</p> <p>TEMP-R9 (1), (2), and (4) do not apply to Temporary activities on public land or within a road reserve or any Open Space and Recreation Zones.</p>	
	Advisory Notes	

	<ul style="list-style-type: none"> • Built Form Standards of the zone apply for permanent structures. • Building consent may be required for permanent, as well as temporary structures. • Notification should be provided to residents adjacent to any event involving electronic sound amplification or fireworks at least 48 hours before the event commences, including: <ul style="list-style-type: none"> ○ The nature of the event; ○ The date, start and finish time, expected timing for sound testing or practice; ○ Any alternative dates in the event of postponement; and ○ Contact details of the event organiser. • Noise rules for temporary activities are contained in the Noise Chapter. • District Council approval is required for temporary road closure. 	
TEMP-R10	Motorised vehicle events	
Waimakariri River ONF Ashley River / Rakahuri SAL	Activity status: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> • NFL-MD2 - Motorised activities 	Activity status when compliance not achieved: N/A
Ashley River / Rakahuri Saltwater Creek Estuary ONF	Activity status: NC	Activity status when compliance not achieved: N/A

Advice Notes

<p>TEMP-AN1</p>	<p>Activities and structures may also be subject to controls outside the District Plan such as controls within other legislation, bylaws or land owner requirements. Please note that the following may apply:</p> <p>Temporary activities within a public space:</p> <ul style="list-style-type: none"> • Permission from the District Council must be obtained for all temporary activities on a public space including on reserves and roads. In addition, temporary activities on reserves must comply with any management or concept plan prepared under the Reserves Act 1977, and may require a health and safety plan, traffic management plan and a booking to hold an event. The District Council's Greenspace Unit can be contacted for more information. <p>Sale of food and alcohol:</p> <ul style="list-style-type: none"> • The sale of food requires approval or registration under the Food Act 2014 and Food Hygiene Regulations 1974. • Activities that involve the sale or provision of alcohol may require a licence, under the Sale and Supply of Alcohol Act 2012. • The District Council Environmental Services Unit can be contacted for more information. <p>Temporary structures:</p> <ul style="list-style-type: none"> • Building consent may be required for structures. • The District Council Building Unit can be contacted for more information. • Built form standards for the applicable zone may also apply. <p>Other controls:</p> <ul style="list-style-type: none"> • Regulations and bylaws that may also apply include the Camping-Grounds Regulations 1985, Amusement Devices Regulations 1978, Civil Aviation Act 1990; and bylaws e.g. Alcohol Control Bylaw 2018, Signage Bylaw 2019, Waimakariri District Council Parking Bylaw 2019, and Solid Waste and Waste Handling Licensing Bylaw 2016.
<p>TEMP-AN2</p>	<p>Further to the noise limits specified in this chapter and District wide noise rules, noise emissions from temporary activities will be subject to complaint based Excessive Noise provisions under s327 of the Resource Management Act 1991. The District Council's Environmental Services Unit or its contractors are responsible for responding to any noise complaints received.</p>

Matters of Discretion

TEMP-MD1	Character and amenity values <ol style="list-style-type: none">1. Suitability of the location.2. The contribution the temporary activity has to the vibrancy of the District and the physical, social, and cultural well-being of communities.3. Adverse effects on the character and quality of the environment, including natural character, water bodies, ecology, historic heritage and sites of significance to Māori.4. The existing character and amenity values of the zone in which it occurs, and the zone of the receiving environment.5. Potential adverse effects on the surrounding environment such as noise, dust, odour, signs, light spill and glare.6. Scale, intensity and character of the activity including attendance, building coverage, structures, duration, frequency and hours of operation.7. Cumulative effects of all activities, buildings, and signs using the proposed location.8. Building style and/or visual appearance of the temporary activity.9. The extent and effectiveness of mitigation such as screening.10. The extent to which the temporary activity will limit access to spaces that would otherwise be accessible.11. Any cross-boundary effects.
TEMP-MD2	Transport <ol style="list-style-type: none">1. The effects on and off the transport system, at and beyond the site including, but not limited to:<ol style="list-style-type: none">a. traffic generation from the activity and the efficiency of the transport system;b. number and type of vehicles accommodated;c. traffic and pedestrian safety, including visibility both on and off-site;d. land availability and suitability for parking, loading, and manoeuvring;e. any alternative means for provision of parking and loading; andf. any effects on the operation of emergency services.
TEMP-MD3	Site alteration, disturbance and remediation <ol style="list-style-type: none">1. The extent to which temporary activities alter or disturb any site, including from earthworks, and the extent of remediation

	<p>including to any:</p> <ul style="list-style-type: none">a. land, including grassed areas, trees or other vegetation; andb. biodiversity, ecosystem or habitat.
TEMP-MD4	<p>Public safety and security</p> <ul style="list-style-type: none">1. The extent to which the proposal maximises personal safety and security, including:<ul style="list-style-type: none">a. lighting, visibility and surveillance that is suitable to maintain a high level of public safety and security;b. ensuring effective access for emergency services is maintained;c. provision of contingency planning for emergency situations;d. provision of clear access routes, including safe movement of pedestrians within the site while avoiding concealment and isolation opportunities;e. entrances and exits, as well as services such as public toilets, that are clearly signposted and easily accessible;f. the extent to which any potential conflicts with other activities (on or off-site) are effectively avoided or minimised; andg. the extent that any off-site effects on personal safety and security are identified and managed.

Appendix 3 – Recommended responses to submissions and further submissions

In order to distinguish between the recommended responses in the s42A report and the recommended responses that arise from the preliminary response to written questions report:

- Recommendations from the s42A report are shown in plain text; and
- Recommendations from the preliminary response to written questions report in response to evidence are shown in blue text (with underline and ~~strike-out~~ as appropriate).

Recommended responses to submissions and further submissions

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
Definitions							
166.7	NZDF	Definition of temporary activity	<p>Seeks the exclusion of temporary military training activities from the 'temporary activity' definition, as they produce different effects. The draft provisions generally provide for these activities separately and exclusion from this definition will provide clarity around the application of rules.</p> <p>Amend the definition of 'temporary activity' to exclude temporary military training activity: "Temporary activity excludes markets and other activities held on a regular basis such as daily, weekly, fortnightly, or monthly, and temporary events ancillary to domestic scale residential activities. Temporary activity also excludes temporary military training activity."</p>	3.3.1	Rejected	See the relevant section of the report.	No
166.8	NZDF	Definition of temporary military training activity	This definition appropriately identifies military training activities as separate from other temporary activities. Retain the definition of 'temporary military training activity' as notified.	N/A	Accepted in part	The submission is in support of the definition.	No
221.1	House Movers Section of New Zealand Heavy Haulage Association	Definition of relocatable building	<p>In the Operative District Plan, relocatable buildings are provided for in the definition of 'construction activities'. In the Proposed District Plan there is a separate definition for 'relocatable buildings' and the definition of 'construction work' only references buildings implying permitted construction works do not cover relocatable buildings. Communication with the Council confirmed, relocated buildings are treated in the same way as any other residential building and seeks clarity to ensure this is provided for in the Proposed District Plan.</p> <p>Delete the definition of 'relocatable buildings' so relocatable buildings are included in the definition of 'building'.</p> <p>"Delete the definition of 'relocatable buildings'.</p> <p>Amend the definition of 'construction work' to include: "for the avoidance of doubt, installation of a building includes the relocation and resiting of a building" or words to that effect."</p>	3.3.2 & 3.8.4	Rejected	See the relevant section of the report.	Yes
221.5	House Movers Section of New Zealand Heavy Haulage Association	Definition of construction work	<p>Ensure relocatable buildings are included in construction work activities by amending the definition of 'construction work' to add "for the avoidance of doubt, installation of a building includes the relocation and resiting of a building" or words to that effect.</p> <p>Amend the definition of 'construction work': "...</p>	3.3.2	Rejected	See the relevant section of the report.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			for the avoidance of doubt, installation of a building includes the relocation and resiting of a building."				
284.30	Clampett Investments	Definition of temporary activity	Support definition of 'temporary activity'. Retain definition of 'temporary activity' as notified.	3.3.1	Accepted in part	This submission supports this definition.	No
303.7	Fire and Emergency NZ	Definition of temporary activity	Seeks to exclude emergency services training activities from the 'temporary activity' definition to avoid doubt. Fire and Emergency often require outdoor temporary training events and has proposed a new definition for 'emergency services training activities'. Amend the definition of 'temporary activity': "Temporary activity excludes markets and other activities held on a regular basis such as daily, weekly, fortnightly, or monthly, and temporary events ancillary to domestic scale residential activities. Temporary activity also excludes emergency services training activities."	3.3.1	Rejected	See the relevant section of the report.	No
326.31	Rolleston Industrial Developments	Definition of temporary activity	Support definition of temporary activity. Retain definition of temporary activity as notified.	3.3.1	Accepted in part	This submission supports this definition.	No
General							
400.1	Helen & Peter Walker	General	Do not allow relocatable homes on empty sections unless there are clear guidelines for tidy up and placement on foundations and inform neighbours of the plan. Before placing relocatable homes on empty sections provide clear guidelines for tidy up and placement on foundations. 6 months is a reasonable timeframe for placement on foundations.	3.8.4	Rejected	See the relevant section of the report.	No
Temporary activities – General							
147.21	Kaiapoi-Tuahiwi Community Board	General	Support General District Wide Matters provisions. Support General District Wide Matters provisions as notified.	N/A	N/A	The submitter noted general support for the General District Wide Matters section of the plan. No changes were requested to the Temporary Activities Chapter.	No
325.147	Kainga Ora	General	Generally support the Temporary Activities Chapter. Retain the Temporary Activities Chapter as notified.	N/A	Accepted in part	This submission supports this Chapter.	No
Temporary activities - Introduction							
195.110	Transpower New Zealand Limited	Introduction - General	Seeks amendment to rule guidance in the 'other potentially relevant District Plan provisions' part of the Temporary Activities Chapter introduction to include clear direction that rules relating to activities in National Grid Yard apply to temporary activities and to give effect to the National Policy Statement on Electricity Transmission Policies 10 and 11. Amend 'Other potentially relevant District Plan provisions' part of the Temporary Activities Chapter introduction: "As well as the provisions in this chapter, other District Plan chapters that contain provisions that may also be relevant to temporary activities include: ...	3.4.1	Accepted in part	See the relevant section of the report.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			- Energy and Infrastructure: this chapter applies for temporary infrastructure and Rules EI-R51, EI-R52 and EI-R53 apply to temporary activities in the National Grid Yard".				
Temporary activities - Objectives							
166.22	NZDF	Objectives – General	Requests temporary military training activities (TMTA) be specifically excluded from the definition of 'temporary activities' for clarity. Requests a specific objective for TMTA as they are not included in the objective and policy framework for temporary activities, although there are specific rules. Add new objective TEMP-O2: "Temporary military training activities contribute to local and national security and provide for the health, safety and wellbeing of the community, and are enabled".	3.3.1	Rejected	See the relevant section of the report.	No
FS 80	CIAL		<i>CIAL is neutral to this relief provided it does not enable noise sensitive activities (such as long periods of overnight stays) in areas subject to airport noise of 50dB Ldn or greater.</i>	3.5.1	Rejected	See the relevant section of the report.	No
358.8	Jet Boating New Zealand	TEMP-O1	Supports enabling of recreational jet boating events - being events and activities promoted by Jet Boating New Zealand. Retain TEMP-O1 as notified.	N/A	Accepted	This submission supports this objective.	No
Temporary activities - Policies							
166.23	NZDF	Policies – General	Supports that temporary military training activities (TMTA) are not included in the definition of 'temporary activities' and requests that it is specifically excluded for clarity. There is no objective and policy framework for TMTA to support specific rules, and requests the addition of a specific policy. Insert new policy TEMP-P6: "Enable temporary military training activities to be undertaken within the District where adverse effects on amenity values are avoided, remedied or mitigated."	3.7.2	Accepted in part	See the relevant section of the report. I recommend amending TEMP-P6 to not require restoration and amending the structure of this policy, given the recommended amendment to TEMP-R5(2) to include "unless otherwise permitted by the Plan".	Yes
FS 80	CIAL		<i>CIAL is neutral to this relief provided it does not enable noise sensitive activities (such as long periods of overnight stays) in areas subject to airport noise of 50dB Ldn or greater.</i>	3.7.2	Rejected	See the relevant section of the report.	No
166.24	NZDF	TEMP-P3	Requests TEMP-P3 reference temporary structures associated with temporary military training activities (TMTA). NZDF must undertake training in order to fulfil its statutory obligations under the Defence Act and at times, TMTA require the placement and use of a temporary building or structure which are completely removed after the TMTA exercise. Amend TEMP-P3: "Enable temporary structures required for construction or demolition and temporary military training activities, and temporary storage of relocatable buildings where potential	3.7.1	Accepted in part	See the relevant section of the report.	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			effects on the transport system, and amenity values of the surrounding environment are mitigated by limiting the duration, and in the case of any relocatable building, the location and connection to services.”				
358.9	Jet Boating New Zealand	TEMP-P1	Supports this policy and considers controls on recreational jetboating events are appropriate. Retain TEMP-P1 as notified.	N/A	Accepted in part	This submission supports this policy.	No
Temporary activities - Rules							
16.5	Drucilla Kingi-Patterson	TEMP-R4	Seeks that the Council encourages film productions in the district by linking with other councils and professional and artistic individuals. The Council needs to encourage film production in the district linking with councils and professional and artistic individuals.	3.8.1	Rejected	The submission is out of scope of the RMA. See the relevant section of the report.	No
28.1	Clayton Tikao	TEMP-R4	Seek the number of vehicle movements per day for filming increases from 250 to 500, as the size of filming projects can vary and this would cover most projects and there can be an excess of 250 vehicle movements for large projects. Increase vehicle movements from 250 to 500 per day for filming activities.	3.8.1	Rejected	See the relevant section of the report.	
FS 110	Waka Kotahi		<i>Waka Kotahi opposes the changes sought by the submitter as this would double the number of vehicle movements permitted under this rule. The number of vehicle movements sought by the submitter is significant and the effects of this number of vehicle movements from a site onto a state highway could significantly adversely impact the safe, efficient and effective functioning of the highway.</i>	3.8.1	Accepted	See the relevant section of the report.	No
166.25	NZDF	TEMP-R5	Supports permitted activity status of temporary military training activities (TMTA) across all zones but requests changes to rule and standards. Seeks TMTA buildings or structures, which are completely removed after the exercise has concluded, be permitted across all zones as buildings associated with construction have been. Considers 31 days/year shall not include set-up and pack-down activities and that requiring site to be restored to the condition prior to the TMTA activity is unnecessary. The standard that TMTA is not located in any Significant Natural Area applies is unclear and overly restrictive as other plan rules apply and effects are similar to other regular activities. Seeks matters of control belimited to character and amenity values only. Sites may be used more than once and are carefully selected, with landowner agreements, taking into account the management of effects. New Zealand Defence Force (NZDF) undertakes training to fulfil statutory obligations and controlled activity status provides certainty of activities proceeding with control of effects. TMTA generate few vehicle movements, sites are restored to good condition, and there are strict safety protocols including noise standards which NZDF seeks to include in the plan.	3.8.2	Accepted in part	See the relevant section of the report. <i>I recommend amending TEMP-R5(2) to read as “the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing, unless otherwise permitted by the Plan”.</i>	Yes

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<p>Amend TEMP-R5: "Temporary Activities TEMP-R5 Temporary Military Training Activity <u>including associated buildings and structures.</u> Activity status permitted where: 1. the maximum duration of the activity is 31 consecutive days <u>(excluding set up and pack down activities)</u> at any one site; 2. the activity is not located in any SNA; 3. the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing. Activity status when compliance with TEMP-R5 (1) and TEMP-R5 (2) not achieved: CON Activity status when compliance with TEMP-R5 (2) or (3) not achieved: RDIS Matters of control or discretion are restricted to: - TEMP-MD1 - Character and amenity values - TEMP-MD2 - Transport - TEMP-MD3 - Site alteration, disturbance and remediation - TEMP-MD4 - Public safety and security"</p>				
FS 110	Waka Kotahi		<p>Waka Kotahi seeks to ensure that any effects on the state highway arising from a temporary military training activity extending beyond 31 days duration are appropriately managed, which the notified provision sought to do and for this reason it should be retained (deletion of MD2 - Transport).</p>	3.8.2	Accepted	See the relevant section of the report.	No
221.2	House Movers Section of New Zealand Heavy Haulage Association	TEMP-R6	<p>Delete definition of 'relocatable building' from the Proposed District Plan and replace 'relocatable building' with 'buildings' in TEMP-R6 to apply generally to all buildings.</p> <p>Amend TEMP-R6 to delete reference to 'relocatable buildings' and to apply to all Zones:</p> <p>"TEMP-R6 Temporary storage of a <u>relocatable building</u> All zones Except Commercial and Mixed Use Zones and the Pines Beach and Kairaki Regeneration Zone Activity status: PER Where: 1. the building is temporarily being stored prior to permanent siting or transfer to another site; 2. in all zones apart from Industrial Zones a maximum of one <u>relocatable building</u> is stored on-site for a maximum of six months within any 24 month period and;</p>	3.8.4	Accepted in part	<p>See the relevant section of the report.</p> <p>I recommend amending the heading of TEMP-R6 to read as "Temporary storage of a <u>building or relocatable building</u>". I also recommend amending TEMP-R6(1) to TEMP-R6(4) to include the reference to a building or relocatable building.</p>	Yes
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?

			<p>3. during the storage period, the relocatable building is not connected to any water, wastewater, or electricity supply, and is not to be fixed to the ground; and</p> <p>4. the relocatable building meets the setback, building coverage and height rules for the zone in which the site is located."</p>				
221.3	House Movers Section of New Zealand Heavy Haulage Association	TEMP-R6	<p>Request new temporary activity rule to permit temporary storage of a building in the Pines Beach and Kairaki Regeneration Zone, subject to standards that are currently part of the definition of 'relocatable building' (as the current definition of relocatable building includes specific standards applicable to Pines Beach and the Kairaki Regeneration Zone, this will retain those provisions even though the definition is deleted and will create a new temporary building storage rule specific to that zone). The permitted activity standards sought at Schedule 1 provide that the building shall be located on permanent foundation no later than [2] months of the building being moved to the site. Submitter recognises that this presents a difference between the proposed permitted activity standards and the proposed TEMP-R6 rule (at Schedule 3) where a relocatable building in any zone apart from Industrial Zones, can be stored up to 6 months. However this does not create a conflict, as it is two different rules pertaining to different activities; temporary storage of relocatable buildings, and installation of relocatable buildings.</p> <p>Insert new TEMP-R6A: <u>"Temporary Storage of a Building Pines Beach and Kairaki Regeneration Zone"</u> Activity status: PER Where: 1. <u>the standards in Rule TEMP-R6 are met;</u> 2. <u>the building shall be generally of timber or metal framing and exclude any structures that have cast in situ concrete walls, concrete block walls, brick and stone walls (including brick veneer), unless such structures are certified by a qualified structural engineer to be of a specific design which would enable at least the greater part of the building to be relocated if required;</u> 3. <u>the building can be removed from the site in less than seven consecutive days;</u> 4. <u>the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and a statement of professional opinion is provided which confirms that the proposed building is relocatable and is suitable to be established on the site. This shall be provided by a suitably qualified and experienced Structural Engineer, Architect,</u></p>	3.8.4	Rejected	<p>See the relevant section of the report.</p> <p><i>I recommend amending the heading of TEMP-R6 to read as "Temporary storage of a <u>building or relocatable building</u>". I also recommend amending TEMP-R6(1) to TEMP-R6(4) to include the reference to a building or relocatable building. I further recommend TEMP-R6 to be applicable to Residential Zones and therefore this captures the Pines Beach and Kairaki Regeneration Zone.</i></p>	No
Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?

			<p><u>Architectural Designer or similar</u></p> <p><u>Activity status when compliance not achieved:</u></p> <p><u>RDIS Matters of discretion are restricted to:</u> <u>TEMP-MD1 - Character and amenity values</u> <u>TEMP-MD2 - Transport</u> <u>TEMP-MD3 - Site alteration, disturbance and remediation</u> <u>TEMP-MD4 - Public safety and security</u> <u>SPZ-PBKR-MD1 –Development design and scale"</u></p>				
275.74	Waka Kotahi NZ Transport Agency	TEMP-R9	Supports the exemption that TEMP-R9 (1), (2), and (4) does not apply to activities within the road reserve. Retain TEMP-R9 as notified.	N/A	Accepted	This submission supports this rule.	No
303.49	Fire and Emergency NZ	Activity Rules - General	<p>Seeks a new provision which would enable temporary emergency management training activities, as these should be recognised and enabled through the higher threshold of tolerance for temporary adverse amenity affects. Emergency services often require training in various areas and, while these are temporary activities, the catch all rules should not need to include emergency management training activities, as these are different to what may typically be included in this catch all rule.</p> <p>Adopt new provision as below: <u>"TEMP-RX – Emergency Services Training Activities</u> <u>All Zones</u> <u>Activity status:</u> <u>PER</u> <u>Where:</u> <u>1. the maximum duration of the activity is 31 consecutive days at any one site;</u> <u>2. the activity is not located in any SNA;</u> <u>3. the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing.</u></p> <p><u>Activity status when compliance with TEMP-R5 (1) not achieved: CON</u> <u>Activity status when compliance with TEMP-R5 (2) or (3) not achieved: RDIS</u></p> <p><u>Matters of control or discretion are restricted to:</u> <u>TEMP-MD1 - Character and amenity values</u> <u>TEMP-MD2 - Transport</u> <u>TEMP-MD3 - Site alteration, disturbance and remediation</u> <u>TEMP-MD4 - Public safety and security"</u></p>	3.8.3	Accepted in part	Accepted in part, subject to amendments made in response to another submission point.	Yes
FS 110	Waka Kotahi		Waka Kotahi is not generally opposed to the new permitted activity rule sought by the submitter, but would seek to ensure that the vehicle movements were restricted to 250 per day	3.8.3	Accepted	See the relevant section of the report.	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<i>beyond which a requirement for resource consent would be triggered. This threshold for vehicle movements aligns with the limit imposed in other TEMP rules.</i>				
221.3	House Movers Section of New Zealand Heavy Haulage Association	TEMP-R6	<p>Request new temporary activity rule to permit temporary storage of a building in the Pines Beach and Kairaki Regeneration Zone, subject to standards that are currently part of the definition of 'relocatable building' (as the current definition of relocatable building includes specific standards applicable to Pines Beach and the Kairaki Regeneration Zone, this will retain those provisions even though the definition is deleted and will create a new temporary building storage rule specific to that zone). The permitted activity standards sought at Schedule 1 provide that the building shall be located on permanent foundation no later than [2] months of the building being moved to the site. Submitter recognises that this presents a difference between the proposed permitted activity standards and the proposed TEMP-R6 rule (at Schedule 3) where a relocatable building in any zone apart from Industrial Zones, can be stored up to 6 months. However this does not create a conflict, as it is two different rules pertaining to different activities; temporary storage of relocatable buildings, and installation of relocatable buildings.</p> <p>Insert new TEMP-R6A: <u>"Temporary Storage of a Building</u> <u>Pines Beach and Kairaki Regeneration</u> <u>Zone</u> <u>Activity status: PER</u> <u>Where:</u> <u>1. the standards in Rule TEMP-R6 are met;</u> <u>2. the building shall be generally of timber or metal framing and exclude any structures that have cast in situ concrete walls, concrete block walls, brick and stone walls (including brick veneer), unless such structures are certified by a qualified structural engineer to be of a specific design which would enable at least the greater part of the building to be relocated if required;</u> <u>3. the building can be removed from the site in less than seven consecutive days;</u> <u>4. the building is fully self-contained or able to disconnect from Council reticulated services in less than two days; and a statement of professional opinion is provided which confirms that the proposed building is relocatable and is suitable to be established on the site. This shall be provided by a suitably qualified and experienced Structural Engineer, Architect, Architectural Designer or similar</u></p>	3.8.4	Rejected	<p>See the relevant section of the report.</p> <p>I recommend amending the heading of TEMP-R6 to read as "<i>Temporary storage of a <u>building or relocatable building</u></i>". I also recommend amending TEMP-R6(1) to TEMP-R6(4) to include the reference to a building or relocatable building. I further recommend TEMP-R6 to be applicable to Residential Zones and therefore this captures the Pines Beach and Kairaki Regeneration Zone.</p>	No

Sub. Ref.	Submitter / Further Submitter	Provision	Decision Requested (Summary)	Section of this Report where Addressed	Officer's Recommendation	Officers' Reasons/Comments	Recommended Amendments to Proposed Plan?
			<u>Activity status when compliance not achieved: RDIS</u> <u>Matters of discretion are restricted to:</u> <u>TEMP-MD1 - Character and amenity values</u> <u>TEMP-MD2 - Transport</u> <u>TEMP-MD3 - Site alteration, disturbance and remediation</u> <u>TEMP-MD4 - Public safety and security</u> <u>SPZ-PBKR-MD1 –Development design and scale"</u>				
358.10	Jet Boating New Zealand	TEMP-R9	Supports as considers recreational jet boating events need to be permitted where the activity standards are met and restricted discretionary with matters of discretion when not. Retain TEMP-R9 as notified.	N/A	Accepted	This submission supports this rule.	No
Temporary activities – Matters of discretion							
178.55	Heritage New Zealand Pouhere Taonga	TEMP-MD1	Supports the consideration of adverse effects on historic heritage and sites of significance to Māori. Retain TEMP-MD1 as notified.	N/A	Accepted	The submission is in support of the matter of discretion.	No
