

Waimakariri District Council Proposed Waimakariri District Plan

Recommendations of the PDP Hearings Panel

Recommendation Report 32

Hearing Stream 11A Part 2: District-wide matters – TEMP – Temporary activities

This report should be read in conjunction with **Report 1** and **Recommendation Reports 2, 3, 8, 13, and 19**.

Report 1 contains an explanation of how the recommendations in all subsequent reports have been developed and presented, along with a glossary of terms used throughout the reports, a record of all Panel Minutes, a record of the recommendation reports and a summary of overarching recommendations. It does not contain any recommendations per se.

Recommendation report 2 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - SD Strategic directions objectives and policies.

Recommendation report 3 contains the PDP Panel's recommendations on the PDP's Part 2: District-wide Matters – Strategic directions - UFD Urban Form and Development objectives and policies.

Recommendation report 8 contains the PDP Panel's recommendations on the PDP's CE-Coastal Environmental Chapter.

Recommendation report 13 contains the PDP Panel's recommendations on the PDP's NOISE- Noise Chapter.

Recommendation report 19 contains the PDP Panel's recommendations on the PDP's RURZ- Rural Zones Chapter.

Appendix 1: Schedule of attendances

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version (provisions not consequentially renumbered)

The Hearings Panel for the purposes of **Hearing Stream 11A** comprised Commissioners Gina Sweetman (Chair), Allan Cubitt, Gary Rae, Megen McKay, Neville Atkinson and Niki Mealings.

1. Introduction

Report outline and approach

1. This is Report 31 of 37 Recommendation Reports prepared by the PDP Hearings Panel appointed to hear and make recommendations on submissions to the Proposed Waimakariri District Plan (PDP).
2. The report addresses the objective, policies and the advice note relating to the TEMP – Temporary activities and the submissions received on those provisions. The relevant provisions are:
 - Introduction
 - Objectives TEMP-O1
 - Policies TEMP-P1 to EMP-P5
 - Rules TEMP-R1 – TEMP -R10
 - Advice Notes
 - Matters of Discretion TEMP-MD1 – TEMP -MD4
 - NOISE-R9
3. We have structured our discussion on this topic as follows:
 - (a) **Section 2** summarises key contextual matters, including relevant provisions and key issues/themes in submissions;
 - (b) **Sections 3 - 5** contains our evaluation of key issues and recommended amendments to provisions;
 - (c) **Section 6** contains any consequential amendments; and
 - (d) **Section 7** contains our conclusions.
4. This Recommendation Report contains the following appendices:
 - (a) **Appendix 1: Schedule of attendances** at the hearing on this topic. We refer to the parties concerned and the evidence they presented throughout this Recommendation Report, where relevant.
 - (b) **Appendix 2: Recommended amendments to the Proposed Plan – Tracked from notified version.** This sets out the final amendments we recommend be made to the PDP provisions relating to this topic. The amendments show the specific wording of the amendments we have recommended and are shown in a ‘tracked change’ format showing changes from the notified version of the PDP for ease of reference. Where whole provisions have been deleted or added, we have not shown any consequential renumbering, as this method maintains the integrity of how the submitters and s42A Report authors have referred to specific provisions, and our analysis of these in the Recommendation Reports. New whole provisions are prefaced with the term ‘new’ and deleted provisions are shown as struck out, with no subsequential renumbering in either case.

5. We record that all submissions on the provisions relating to the TEMP – Temporary activities chapter have been taken into account in our deliberations. In general, submissions in support of the PDP have not been discussed but are accepted or accepted in part. More detailed descriptions of the submissions and key issues can be found in the relevant s42A Reports, Responses to Preliminary Questions, Joint Witness Statements and written Reply Reports, which are available on the Council’s website.
6. In accordance with the approach set out in Report 1, this Report focuses only on ‘exceptions’, where we do not agree fully or in part with the s42A report author’s recommendations and / or reasons, and / or have additional discussion and reasons in respect to a particular submission point, evidence at the hearing, or another matter. Original submissions have been accepted or rejected as recommended by the s42A report author unless otherwise stated in our Recommendation Reports. Further submissions are either accepted or rejected in conformance with our recommendations on the original submission to which the further submission relates.
7. The requirements in clause 10 of the First Schedule of the Act and s32AA are relevant to our considerations of the PDP provisions and the submissions received on those provisions. These are outlined in full in Report 1. In summary, these provisions require among other things:
 - (a) our evaluation to be focussed on changes to the proposed provisions arising since the notification of the PDP and its s32 reports;
 - (b) the provisions to be examined as to whether they are the most appropriate way to achieve the objectives; and
 - (c) as part of that examination, that:
 - i. reasonable alternatives within the scope afforded by submissions on the provisions and corresponding evidence are considered;
 - ii. the efficiency and effectiveness of the provisions is assessed;
 - iii. the reasons for our recommendations are summarised; and
 - iv. our report contains a level of detail commensurate with the scale and significance of the changes recommended.
8. We have not produced a separate evaluation report under s32AA. Where we have adopted the recommendations of Council’s s42A report authors, we have adopted their reasoning, unless expressly stated otherwise. This includes the s32AA assessments attached to the relevant s42A Reports, Reply Reports, Joint Witness Statements and/or. Those reports are part of the public record and are available on the Council website. Where our recommendation differs from the s42A report authors’ recommendations, we have incorporated our s32AA evaluation into the body of our report as part of our reasons for recommended amendments, as opposed to including this in a separate table or appendix.
9. A fuller discussion of our approach in this respect is set out in Section 5 of Report 1.

2. Summary of provisions and key issues

Outline of matters addressed in this section

10. In this section, we provide relevant context around which our evaluation of the notified provisions and submissions received on them is based. Our discussion includes:
- (a) summary of relevant provisions;
 - (b) themes raised in submissions; and
 - (c) identification of key issues for our subsequent evaluation.

Submissions

11. This chapter, along with the associated definitions, attracted 12 original submitters, who made a 19 submission points. There were also 2 further submitters who made 5 further submission points.

Key issues

12. The issues in contention on this chapter addressed in this report are:
- Introduction
 - Provisions relating to Temporary Military Activities (recommended TEMP-P6 and NOISE- R9).
 - TEMP-R5.

3. Introduction

13. The following is a summary of the Panel's recommended amendments to in relation to the Introduction section, beyond those recommended by the s42A report author.

Provision	Panel recommendations
Introduction	Amend the reference to 'temporary activities' to 'temporary infrastructure activities'. Delete the recommended amendments regarding the showground sites and add a note that ancillary activities to activities authorised at the showgrounds are not subject to the Temporary Activities chapter (as recommended in the Rural Zone recommendation report).

14. The submission we consider here is that of Transpower¹ who considers that the provisions within the Temporary Activities chapter do not provide a clear direction that the rules for activities within the National Grid Yard apply to temporary activities. Transpower sought amendments to the Introduction section to clarify that rules within the EI Chapter may be applicable to temporary activities.

¹ 195.110

15. The s42A report author agreed with the submission of Transpower and proposed amendments to the Introduction to address the lack of integration between the two chapters. These amendments were acknowledged and supported by Transpower's planner, Ms MacLeod. The s42A report author also made a number of small changes to the Introduction wording to correct what were referred to as 'minor errors'.
16. The Panel also agrees with the submitter, but we have made a minor change to the recommended amendments to the EI integration paragraph by changing 'temporary activities' to 'temporary infrastructure activities'.
17. With respect to s42A report author's 'minor error' corrections, we have deleted the recommended Clause 16 change that stated temporary activities on the showground sites may be subject to any applicable rules in the Temporary Activities chapter. As we clarified in our Rural Zones recommendation report, temporary activities ancillary to the activities authorised by the showground rules are not subject to the Temporary Activities rules. We have recommended changes to the TEMP chapter 'Introduction' section and TEMP-R2 in our Rural Zones report 19 that clarifies this.

4. Temporary Military Activities: NOISE – R9

18. The following is a summary of the Panel's recommended amendments to NOISE-R9, which relates to Temporary Military Training Activities (TMTA), beyond those recommended by the s42A report author.

Provision	Panel recommendations
NOISE – R9	Add an 'advice note' clarifying that the rule does not apply to TMTAs.

19. The submission we consider here is that of the New Zealand Defence Force² who notes that while there are specific rules for TMTA, they are not specifically included in the definition of temporary activities and are not explicitly included in the policy framework for Temporary activities. NZDF also sought that TMTA are specifically excluded from the definition of 'temporary activity'.
20. The s42A report author recommended that the New Zealand Defence Force submission on the definition of 'temporary activity' be rejected on the basis that TMTAs have a specific rule framework so need to be included within the definition. She recommended a change to clause (j) of the definition as follows:
"and other ~~types of~~ activities of ~~similar character~~ a temporary nature and character"
21. This recommendation also addresses a similar submission from Fire and Emergency NZ.³

² 166.22 and 166.7

³ 303.49

22. In her planning evidence for the New Zealand Defence Force, Ms Davies advised that New Zealand Defence Force did not oppose this recommendation but advised that the amendment does not address the New Zealand Defence Force's concern around the application of noise rules for temporary events versus TMTA. She sought an advice note to Rule NOISE-R9 clarifying that the rule does not apply to temporary military training activities.
23. The s42A report author does not appear to have addressed this point in her reply report. While it is clear that TMTAs have their own noise rule in NOISE-R2, along with a newly recommended rule that addresses weapons firing and use of explosives, the Panel recommend that the advice note requested by the New Zealand Defence Force is added to NOISE-R9 for clarity purposes.
24. Our recommended changes in response to the New Zealand Defence Force therefore mean that we recommend that this submission be accepted in part.

5. TEMP-R5 and TEMP-R6

25. The following is a summary of the Panel's recommended amendments to TEMP – R5 and TEMP – R6 beyond those recommended by the s42A report author.

Provision	Panel recommendations
TEMP – R5	Amend heading by removing reference to ancillary activities and including these in an advice note. Amend to include requirement to comply with CE-R3 (1)
TEMP-P6	Consequential amendment to include Emergency Service Training Activities (ESTAs) in recommended TEMP-P6.

26. The submissions we consider here are those of New Zealand Defence Force ⁴ and Fire and Emergency NZ⁵. The New Zealand Defence Force supports the permitted activity status of TMTA across all zones but sought a number of changes to TEMP-R5 and the accompanying standards. These amendments include:
 - amend the heading to reference 'including associated buildings and structures',
 - remove clauses 2 and 3,
 - remove reference to clauses 2 and 3 from the activity status wording, and
 - remove TEMP-MD2, TEMP-MD3 and TEMP-MD4 from the matters of control or discretion.
 - Include temporary buildings and structures within the rule.

⁴ 166.25

⁵ 303.49

27. The submission of Fire and Emergency NZ sought a new rule to provide for Emergency Service Training Activities. Fire and Emergency NZ noted that they are often required to train in a variety of areas and considered these activities to be different to what may typically be provided for the temporary activities 'catch all' rule, TEMP-P9. Their submission sought a permitted activity rule for ESTA that was the same as the notified TEMP – R5 for TMTA.
28. The s42A report author essentially agreed with the submitters, accepting both submissions in part. Her solution to Fire and Emergency NZ's submission was to include their activity within TEMP-R5, thereby providing for both TMTAs and ESTAs.
29. The Panel agrees with the amendments recommended by the s42A report author to TEMP-R5, with one exception. The Panel accepted the recommendation of the s42A report author for the CE chapter in respect to the application of CE-R3(1) to TMTAs. This rule requires a 20m setback from NATC for buildings in the coastal overlay. The Panel notes that there are only three small areas where the CE overlay and NATC areas intersect, so this will have limited impact on the ability of the New Zealand Defence Force (and ESTAs) to train in the coastal environment. For completeness, we agree with the submitters that it is not appropriate that TMTAs comply with the remaining clauses of CE-R3, which apply in all the coastal environment as opposed to just the identified NATC area.
30. Accordingly, we recommend that TEMP-R5 is amended to include requirement for buildings and structures to comply with CE-R3 (1).
31. We have also recommended some minor amendments to the changes proposed by the report author to TEMP-R5 to improve the structure and clarity of the rule. These changes do not affect the s42A report author's recommendations on the submissions, which we recommend are accepted.
32. The Panel also agrees that it is appropriate to provide for ESTAs as permitted activities. However, we were concerned that such a rule may lack policy support for ESTAs and raised this with the report author in our questions to her. In response, the report author considered that there was a lack of scope for a specific ESTA policy but did support such a policy if it could be included.
33. The Panel notes that the rule sought by Fire and Emergency NZ is exactly the same as the rule that was included in the PDP for TMTAs (TEMP-R5). The s42A report author recommended new policy for TMTAs (TEMP-P6) to support that rule. We are of the view that as a consequential amendment, this policy should also apply to ESTAs. We have recommended that amendment accordingly.

6. Other matters and consequential changes

34. There are no other consequential changes that we have identified as being necessary.

7. Conclusion

35. For the reasons summarised above, we recommend the adoption of a set of changes to the PDP provisions relating to Part 2: District-wide matters – TEMP – Temporary Activities chapter and consequential changes to the NOISE chapter. Our recommended amendments are shown in Appendix 2.
36. Overall, we find that these changes will ensure the PDP better achieves the statutory requirements, national and regional direction, and our recommended Strategic Directions, and will improve its useability.

Appendix 1: Submitter attendance and tabled evidence for Temporary activities - Hearing Stream 11

Attendee	Speaker	Submitter No.
Council reporting officer	<ul style="list-style-type: none">• Brooke Benny	N/A
Tabled Evidence		
N/A	<ul style="list-style-type: none">• N/A	N/A

Appendix 2: Recommended amendments to the Proposed Plan - Tracked from notified version
(provisions not consequentially renumbered)

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 device¹ 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 for Use of temporary infrastructure).
 2. Where temporary infrastructure activities and development (other than earthworks) are located within the National Grid Yard, rules within the various Zones apply.
 3. For earthworks and the disturbance of land for the installation of fence posts within the National Grid Yard, the rules in the Earthworks chapter apply.
 4. For Earthworks within the National Grid Yard, the rules in the Earthworks Chapter apply.²
- 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~~³, 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 on⁴ the Oxford and Rangiora A&P Showgrounds respectively. Temporary

¹ RMA Schedule 1 Clause 16(2)

² Transpower [195.110]

³ RMA Schedule 1 Clause 16(2)

⁴ RMA Schedule 1 Clause 16(2)

activities ancillary to activities authorised on these Showground sites are not subject to the Temporary activity rules.⁵

- 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	Temporary activities 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.
Policies	
TEMP-P1	Enabling temporary activities Enable temporary activities, and minimise adverse effects on the natural values, cultural values and amenity values of the surrounding environment, by ensuring: <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	Temporary activities and public spaces For public spaces: <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	Temporary structures 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.
TEMP-P4	Disaster management accommodation 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.
TEMP-P5	Mobile trading 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.
<u>TEMP-P6⁶</u>	<u>Temporary Military Training Activity and Emergency Service Training Activities⁷</u>

⁵ RMA Schedule 1 Clause 16(2)

⁶ New Zealand Defence Force [166.23] and [166.24]

⁷ Consequential amendment arising from FIRE AND EMERGENCY NZ [303.49]

	<p><u>Enable temporary military training activity and Emergency Service Training activity, along with 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>
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Activity Rules

TEMP-R1	Mobile trading ancillary to a temporary activity	
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 <u>or to mobile trading activities that occur in association with activities at the Oxford and Rangiora A&P Showgrounds.</u>⁸</i>	
All Zones	Activity status: PER Where: <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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - Public safety and security
TEMP-R3	Mobile trading on public land	
All Zones	Activity status: PER	Activity status when compliance not achieved: N/A
	Advisory Note <ul style="list-style-type: none"> A Mobile Trading Licence may be required for the occupation of public spaces. 	
TEMP-R4	Filming	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> the maximum duration of the activity is 31 consecutive days at any one site within a 12 month period; 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: <ul style="list-style-type: none"> TEMP-MCD1 - Character and amenity values

⁸ RMA Schedule 1 Clause 16(2)

	<ol style="list-style-type: none"> 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>TEMP-MCD2 - Transport</p> <p>TEMP-MCD3 - Site alteration, disturbance and remediation</p> <p>TEMP-MCD4 - Public safety and security</p>
TEMP-R5	<p>Temporary military training activity <u>and emergency service training activity</u>⁹ <u>Advice Note: This rule also applies to ancillary activities such as buildings and structures</u>¹⁰.</p>	
All Zones	<p>Activity status: PER 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 completion</u>¹¹; and 2. 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>¹². the activity is not located within any SNA;¹³ 3. <u>In the Coastal Environment, condition 1 of CE-R3 is complied with.</u>¹⁴ 	<p>Activity status when compliance with TEMP-R5 (1) not achieved: CON</p> <p>Activity status when compliance with TEMP-R5 (2) or (3) not achieved: RDIS</p> <p>Matters of control or discretion are restricted to: TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - Public safety and security</p> <p>Activity status when compliance with TEMP-R5 (3) not achieved: RDIS Matters of control or discretion are restricted to: TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - Public safety and security CE-MCD1 – Buildings and Structures and Public Amenities¹⁵</p>

⁹ Fire and Emergency NZ [303.49]

¹⁰ New Zealand Defence Force [166.25]

¹¹ Waka Kotahi [FS110]

¹² New Zealand Defence Force [166.25]

¹³ New Zealand Defence Force [166.25]

¹⁴ New Zealand Defence Force [166.29]

¹⁵ New Zealand Defence Force [166.29]

TEMP-R6		Temporary storage of a <u>building or</u> ¹⁶ relocatable building
General Rural Zone Rural Lifestyle Zone <u>Residential Zones</u> ¹⁷ <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"> the building <u>or relocatable building</u>¹⁰ is temporarily being stored prior to <u>permanent siting on site or</u>¹⁸ transfer to another site; 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; 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 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: TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - 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
All Zones	Activity status: PER Where: <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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - Public safety and security
TEMP-R8		Disaster management accommodation

¹⁶ House Movers [221.1, 221.2 and 221.3]¹⁷ House Movers [221.1]¹⁸ House Movers [221.2]

All Zones	Activity status: PER Where: <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. 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - Public safety and security
	Advisory Note <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, <u>or TEMP-R10</u>.¹⁹</i>	
All Zones	Activity status: PER Where: <ol style="list-style-type: none"> 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; 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; the site is restored to the same condition as prior to the temporary activity within 	Activity status when compliance not achieved: RDIS Matters of discretion are restricted to: TEMP-MCD1 - Character and amenity values TEMP-MCD2 - Transport TEMP-MCD3 - Site alteration, disturbance and remediation TEMP-MCD4 - Public safety and security

¹⁹ Consequential amendment from NZPork [169.48,169.73] and Hort NZ [295.148, 295.178]

	seven days of that activity ceasing; 4. there is a total maximum of 250 vehicle movements per day for any temporary activity.	
	Exemption 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.	
	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	
General Rural and Rural Lifestyle Zones²⁰ Waimakariri River ONF Ashley River / Rakahuri SAL	Activity status: RDIS Matters of discretion are restricted to: <u>RURZ-MD3 Character and amenity values²¹</u> NFL-MD2 - Motorised activities	Activity status when compliance not achieved: N/A
Ashley River / Rakahuri Saltwater Creek	Activity status: NC	Activity status when compliance not achieved: N/A

²⁰ NZPork [169.48,169.73] and Hort NZ [295.148, 295.178]

²¹ NZPork [169.48,169.73] and Hort NZ [295.148, 295.178]

Estuary ONF		
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Advice Notes

TEMP-AN1	<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.
TEMP-AN2	<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 **Control and** ²²Discretion

TEMP-MCD1 ²³	<p>Character and amenity values</p> <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.
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²² New Zealand Defence Force [166.25]

²³ New Zealand Defence Force [166.25]

	<ol style="list-style-type: none"> 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-MCD2²⁴	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; and f. any effects on the operation of emergency services.
TEMP-MCD3²⁵	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 including to any: <ol style="list-style-type: none"> a. land, including grassed areas, trees or other vegetation; and b. biodiversity, ecosystem or habitat.
TEMP-MCD4²⁶	Public safety and security <ol style="list-style-type: none"> 1. The extent to which the proposal maximises personal safety and security, including: <ol 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; and g. the extent that any off-site effects on personal safety and security are identified and managed.

Relevant definition amendments

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*

²⁴ New Zealand Defence Force [166.25]

²⁵ New Zealand Defence Force [166.25]

²⁶ New Zealand Defence Force [166.25]

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;²⁷*

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.*²⁸

²⁷ Clampett Investment Limited [284.30] and Rolleston Industrial Developments Limited [326.31]

²⁸ Fire and Emergency NZ [303.49]