

# TEMPORARY ACTIVITIES & RELOCATED BUILDINGS 35

## 35 Temporary Activities and Relocated Buildings

### 35.1 Purpose

The purpose of the Temporary Activity provisions is to enable temporary events, filming, construction activities, military training, utilities and storage to be undertaken, subject to controls intended to minimise adverse effects. The provisions recognise that temporary activities, events and filming are important to the economic, social, and cultural vitality of the District, and are therefore encouraged.

The Relocated Building provisions primarily seek to ensure that the external appearance of such buildings is compatible with the surrounding environment and amenity. The requirements of this Chapter enable matters to be considered in addition to any specific controls for buildings and structures in the Zone Chapters and other relevant District Wide Chapters.

### 35.2 Objectives and Policies

#### 35.2.1 **Objective – Temporary Events and Filming are encouraged and are undertaken in a manner that ensures the activity is managed to minimise adverse effects.**

##### **Policies**

- 35.2.1.1 Recognise and encourage the contribution that temporary events and filming make to the social, economic and cultural wellbeing of the District's people and communities.
- 35.2.1.2 Permit small and medium-scale events during daytime hours, subject to controls on event duration, frequency and hours of operation.
- 35.2.1.3 Recognise that purpose-built event facilities are designed to cater for temporary activities.
- 35.2.1.4 Recognise that for public spaces, temporary events are anticipated as part of the civic life of the District.
- 35.2.1.5 Require adequate infrastructure, waste minimisation, traffic management, emergency management, security, and sanitation facilities to be available to cater for anticipated attendants at large-scale temporary events and filming.
- 35.2.1.6 Ensure temporary activities do not place an undue restriction on public access.
- 35.2.1.7 Recognise that noise is an anticipated component of temporary events and filming, while protecting residential amenity from undue noise during night-time hours.
- 35.2.1.8 Enable the operation of informal airports in association with temporary community events and filming, subject to minimising adverse effects on adjacent properties.
- 35.2.1.9 Require all structures associated with temporary events and filming to be removed at the completion of the activity, and any damage in public spaces to be remediated.

#### 35.2.2 **Objective – Temporary activities necessary to complete building and construction work are provided for.**

##### **Policies**

- 35.2.2.1 Ensure temporary activities related to building and construction work are carried out with minimal disturbance to adjoining properties and on visual amenity values.
- 35.2.2.2 Provide for small-scale retail activity to serve the needs of building and construction workers.

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35.2.2.3 Require temporary activities related to building and construction to be removed from the site following the completion of construction, and any damage in public spaces to be remediated.

**35.2.3 Objective – Temporary Military Training is provided for to meet the needs of the New Zealand Defence Force.**

## Policy

35.2.3.1 Enable temporary military training to be undertaken within the District.

**35.2.4 Objective – Temporary Utilities needed for other temporary activities or for emergencies are provided for.**

## Policy

35.2.4.1 Enable short-term use of temporary utilities needed for other temporary activities or for emergency purposes.

**35.2.5 Objective – Temporary Storage is provided for in rural areas.**

## Policies

35.2.5.1 Permit temporary storage related to farming activity.

35.2.5.2 Ensure temporary storage not required for farming purposes is of short duration and size to protect the visual amenity values of the area in which it is located.

**35.2.6 Objective – A Relocated Building is located and designed to maintain amenity and provides a positive contribution to the environment.**

35.2.6.1 A Relocated Building provides a quality external appearance, and is compatible with the amenity of the surrounding environment.

35.2.6.2 Provision of three waters infrastructure minimises adverse effects.

## 35.3 Other Provisions and Rules

### 35.3.1 District Wide

Attention is drawn to the following District Wide chapters. All provisions referred to are within Stage 1 of the Proposed District Plan, unless marked as Operative District Plan (ODP).

1 Introduction	2 Definitions	3 Strategic Direction
4 Urban Development	5 Tangata Whenua	6 Landscapes
24 Signs (18 ODP)	25 Earthworks (22 ODP)	26 Historic Heritage
27 Subdivision	28 Natural Hazards	29 Transport (14 ODP)
30 Utilities and Renewable Energy	31 Hazardous Substances (16 ODP)	32 Protected Trees
33 Indigenous Vegetation	34 Wilding Exotic Trees	35 Temporary Activities and Relocated Buildings
36 Noise	37 Designations	Planning Maps

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## 35.3.2 Clarification

- 35.3.2.1 A permitted activity must comply with all the rules listed in the activity and standards tables, and any relevant district wide rules.
- 35.3.2.2 Where an activity does not comply with a Standard listed in the Standards table, the activity status identified by the 'Non-Compliance Status' column shall apply. Where an activity breaches more than one Standard, the most restrictive status shall apply to the Activity.
- 35.3.2.3 The Rules of this Chapter relating to Temporary Activities take precedence over any other provision of the Proposed District Plan, with the exception of:
- 26 Historic Heritage
  - 31 Hazardous Substances
  - 24 Signs
- 35.3.2.4 For a Relocated Building, the provisions in this Chapter apply in addition to any relevant provision of any other Chapter.
- 35.3.2.5 The following abbreviations are used within this Chapter.

P	Permitted	C	Controlled
RD	Restricted Discretionary	D	Discretionary
NC	Non Complying	PR	Prohibited

## 35.4 Rules - Activities

	Temporary Activities and Relocated Buildings	Activity Status
35.4.1	Any other Activity not listed in this table.	D
35.4.2	<p><b>Relocated Building</b>, in a <b>Residential Zone</b> that is any of the following, and a maximum of one per site:</p> <ul style="list-style-type: none"> <li>a new build relocated residential unit that has been purpose built for relocation</li> <li>a shipping container</li> <li>an accessory building under 30m<sup>2</sup> in gross floor area that is not a shipping container</li> <li>the repositioning of an existing lawfully established residential unit, residential flat or accessory building within its own site.</li> </ul> <p>This rule does not apply to buildings for Temporary Construction-Related Activities, as addressed in rule 35.4.12, below.</p> <p>For the purpose of this rule Relocated Buildings shall also be subject to the rules of the Zone they are located in and any applicable District Wide rule. In particular, rules relating to Buildings or Structures apply.</p>	P
35.4.3	<b>Relocated Building</b> in a <b>Residential Zone</b> being a maximum of one per site and for the:	C

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	Temporary Activities and Relocated Buildings	Activity Status
	<ul style="list-style-type: none"> <li>Relocation of any building that has been previously being designed, built and used for residential purposes</li> </ul> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> <li>the reinstatement works that are to be completed to the exterior of the building</li> <li>the timeframe for placing the building on permanent foundations and the closing in of those foundations</li> <li>the nature of other works to be undertaken to ensure the building is compatible with the amenity values of the area</li> <li>Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated<sup>1</sup>.</li> </ul> <p>This rule does not apply to buildings for Temporary Construction-Related Activities, as addressed in rule 35.4.12, below.</p> <p>For the purpose of this rule Relocated Buildings shall also be subject to the rules of the Zone they are located in and any applicable District Wide rule. In particular, rules relating to Buildings or Structures apply.</p>	
<b>35.4.4</b>	<p><b>Relocated Building</b> in a <b>Rural Zone</b> being a maximum of one per site and for the:</p> <ul style="list-style-type: none"> <li>Relocation of any building</li> <li>A shipping container</li> </ul> <p>Control is reserved to all of the following:</p> <ul style="list-style-type: none"> <li>the reinstatement works that are to be completed to the exterior of the building</li> <li>the timeframe for placing the building on permanent foundations and the closing in of those foundations</li> <li>the nature of other works to be undertaken to ensure the building is compatible with the amenity values of the area</li> <li>Where a site is subject to any natural hazard and the proposal results in an increase in gross floor area: an assessment by a suitably qualified person is provided that addresses the nature and degree of risk the hazard(s) pose to people and property, whether the proposal will alter the risk to any site, and the extent to which such risk can be avoided or sufficiently mitigated<sup>1</sup>.</li> </ul>	C

<sup>1</sup> Policies that guide the assessment of proposals on land affected by natural hazards are located in Chapter 28.

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	Temporary Activities and Relocated Buildings	Activity Status
	For the purpose of this rule Relocated Buildings shall also be subject to the rules of the Zone they are located in and any applicable District Wide rule. In particular, rules relating to Buildings or Structures apply.	
35.4.5	<p><b>Temporary Events</b> held on public conservation land, including the use of the land as an informal airport, which holds a valid concession for the temporary event.</p> <p>For the purpose of this rule the relevant noise standards of the Zone shall not apply.</p>	P
35.4.6	<b>Temporary Events</b> held within a permanent, purpose-built, hotel complex, conference centre, or civic building.	P
35.4.7	<p><b>Temporary Events</b> held on Council-owned public recreation land, provided that:</p> <ul style="list-style-type: none"> <li>Noise Events do not occur during hours in which the night-time noise limits of the relevant Zone(s) are in effect, except for New Year's Eve.</li> </ul> <p>For the purpose of this rule the relevant noise standards of the Zone shall not apply.</p>	P
35.4.8	<p>Any other <b>Temporary Events</b>, provided that:</p> <ul style="list-style-type: none"> <li>The number of persons (including staff) participating does not exceed 500 persons at any one time</li> <li>The duration of the temporary event does not exceed 3 consecutive calendar days (excluding set up and pack down)</li> <li>The event does not operate outside of the hours of 0800 to 2000. Set up and pack down outside of these hours is permitted</li> <li>No site shall be used for any temporary event more than 12 times in any calendar 12 month period</li> <li>All structures and equipment are removed from the site within 3 working days of the completion of the event</li> <li>For the purpose of this rule the relevant noise standards of the Zone shall not apply</li> </ul>	P
35.4.9	<p><b>Temporary Events</b></p> <p>Informal airports for rotary wing aircraft flights in association with the use of a site for temporary public events provided that:</p> <ul style="list-style-type: none"> <li>The informal airport is only used during the hours of 0800 – 2000</li> <li>No site shall be used for an informal airport for more than 7 days in any calendar year</li> <li>No site shall be used for an informal airport more than one day in any calendar month</li> <li>The aircraft operator has notified the Council's Planning Department concerning the use of the informal airport.</li> <li>The temporary community event must be open to the general</li> </ul>	P

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	<p>public to attend (whether ticketed or not).</p> <p>For the purpose of this Rule:</p> <p>The relevant noise standards of the Zone shall not apply</p>	
<b>35.4.10</b>	<p><b>Temporary Filming</b></p> <p>Held on public conservation land, including the use of the land as an informal airport, which holds a valid concession for the temporary filming activity.</p>	P
<b>35.4.11</b>	<p><b>Temporary Filming</b>, including the use of the land as an informal airport as part of that filming activity, provided that:</p> <ul style="list-style-type: none"> <li>• The number of persons participating in the temporary filming does not exceed 200 persons at any one time within the Rural Zone, 100 persons in the Rural Lifestyle and Rural Residential Zones, and 50 persons in any other zone</li> <li>• Within the Rural Zone, any temporary filming activity does not occur on a site, or in a location within a site, for a period longer than 30 days, in any 12 month period.</li> <li>• In any other Zone, any temporary filming activity does not occur on a site for a period longer than 30 days (in any 12 month period) with the maximum duration of film shooting not exceeding 7 days in any 12 month period.</li> <li>• All building and structures are removed from the site upon completion of filming, and any damage incurred in public places is remediated.</li> <li>• The use of land as an informal airport as part of filming activity is restricted to the Rural Zone.</li> </ul> <p>For the purpose of this Rule:</p> <p>The relevant noise standards of the Zone shall not apply to temporary filming and the associated use of the site as an informal airport. However Council will use its power under the Resource Management Act 1991 to control unreasonable and excessive noise.</p>	P
<b>35.4.12</b>	<p><b>Temporary Construction-Related Activities</b></p> <p>Any temporary building (including a Relocated Building), scaffolding, crane, safety fences, and other similar structures and activities that are:</p> <ul style="list-style-type: none"> <li>• Ancillary to a building or construction project and located on the same site</li> <li>• Are limited to the duration of an active construction project</li> <li>• Are removed from the site upon completion of the active construction project.</li> </ul>	P
<b>35.4.13</b>	<p><b>Temporary Construction-Related Activities</b></p> <p>Any temporary food/beverage retail activity, for the direct purpose of serving workers of an active building or construction project.</p>	P

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	Temporary Activities and Relocated Buildings	Activity Status
<b>35.4.14</b>	<b>Temporary Military Training</b>  Temporary Buildings and Temporary Activities related to temporary military training carried out pursuant to the Defence Act 1990, provided any such activity or building does not remain on the site for longer than the duration of the project.	P
<b>35.4.15</b>	<b>Temporary Utilities</b>  Any temporary utilities that: <ul style="list-style-type: none"> <li>• Are required to provide an emergency service, or</li> <li>• Are related to, and required in respect of, a permitted temporary activity specified in this chapter of the District Plan.</li> </ul>	P
<b>35.4.16</b>	<b>Temporary Storage</b>  Any temporary storage or stacking of goods or materials, other than for farming purposes, that does not remain on the site for longer than 3 months and does not exceed 50m <sup>2</sup> in gross floor area.  Note: Any temporary storage which fails to meet this permitted activity rule is subject to the rules of the relevant Zone.	P

## 35.5 Rules - Standards

	Standards for activities	Non-compliance status
<b>35.5.1</b>	<b>Relocated Buildings</b>  A shipping container has had any signage removed and is painted out where used on a site for a period exceeding two months.	NC
<b>35.5.2</b>	<b>Glare</b>  All fixed exterior lighting shall be directed away from adjacent sites and roads.  Discretion is restricted to: <ul style="list-style-type: none"> <li>• the effect of lighting on the amenity of adjoining properties.</li> </ul>	RD
<b>35.5.3</b>	<b>Waste Management</b>  All temporary events with more than 500 participants at any one time, and temporary filming with more than 200 participants, shall undertake the event in accordance with the Council's Zero Waste Events Guide, including the submission of a completed 'Zero Waste Event Form'.  Discretion is restricted to: <ul style="list-style-type: none"> <li>• the ability to minimise and manage waste from the event.</li> </ul>	RD
<b>35.5.4</b>	<b>Sanitation</b>  All temporary events with an anticipated attendance of up to 500 shall	RD

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provide a minimum number of toilet facilities in accordance with the below table, or have ready access to the same number of publicly-accessible toilets within a 150m walk from the event.

People Attending	Duration of Event (hours)						
	1-2	3	4	5	6	7	8+
1-50	1	1	1	2	2	2	2
51-100	2	2	2	2	3	3	3
101-250	3	3	3	3	4	4	6
251-500	4	4	4	6	6	6	8

Advice note: Weather conditions, the amount of food and beverages consumed, and the availability of alcohol can increase toilet usage by 30% - 40%.

Discretion is restricted to:

- the ability to provide adequate sanitation facilities for the event.

## 35.6 Rules – Non-notification

**35.6.1 Except as provided for by the Act, any application for resource consent for the following matters shall not require the written consent of other persons and shall not be notified or limited-notified:**

35.6.1.1 Temporary filming.