

EARTHWORKS – RECOMMENDED CHANGES TO PROVISIONS

Introduction

Earthworks are a necessary part of subdivision, land use and development, but need to be managed to ensure that risks associated with land instability, sediment loss and increased natural hazards, and effects on amenity, cultural values, strategic infrastructure and the natural environment are effectively addressed.

Earthworks provisions in the District Plan manage the scale, location and type of earthworks through threshold standards that apply to all zones. Various exemptions are ~~provided from rules~~ included within this chapter. The impact of earthworks on sensitive areas is dealt with in other chapters. This includes Significant Natural Areas, Outstanding Natural Landscapes or Features, High Naturalness Water Bodies, Visual Amenity Landscapes, Flood Assessment Areas, the Coastal Environment, Sites and Areas of Significance to Māori, Heritage Items or Settings, and infrastructure.

In addition to the District Plan provisions, consent may also be required for earthworks under Regional Plan provisions and/or National Environmental Standards.

In the event that an unidentified archaeological site or wāhi tapu site is located during earthworks, all earthworks must follow the Accidental Discovery Protocol contained in APP4 – Accidental Discovery Protocol.¹

Objectives

EW-O1 Earthworks activity

Earthworks facilitate subdivision, and the use and development of ~~the District's land resource~~, while ensuring ~~that its~~ adverse effects on the surrounding environment are avoided or mitigated.²

Policies

EW-P1 Benefits and necessity

Recognise the benefits and necessity of earthworks for the subdivision, use and development of land, including earthworks for the provision of network utilities, and natural hazard mitigation works.³

EW-P2 Management and amenity

Ensure ~~Require that any~~ adverse effects of earthworks do not detract from ~~the~~ amenity values, the intrinsic values of ecosystems, and the environmental quality enjoyed by those living or working in the vicinity.⁴

EW-P3 Accidental discovery

Require accidental discovery protocols to ensure land disturbance avoids or mitigates adverse effects on sensitive material.

EW-P4 Infrastructure

Protect Regionally Significant Infrastructure from the adverse effects of earthworks.

¹ Clause 16(2) Amendments

² Clause 16(2) Amendments

³ Clause 16(2) Amendments

⁴ Clause 16(2) Amendments

EW-P5 Land stability

Only allow earthworks on steeper slopes and in proximity to boundaries where they will not impact significant adverse effects on land stability are avoided and other adverse effects are appropriately mitigated.⁵

Rules

Note: ~~Activities not listed in the rules of this chapter are classified as a permitted under this chapter.~~⁶ For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine which rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

EW-R1	Earthworks, excluding earthworks:	
	<ul style="list-style-type: none"> a. for tree planting, or the removal of trees not protected by the District Plan; b. for test pits, wells or boreholes permitted under a regional plan or where all necessary regional resource consents have been obtained; c. for infrastructure <u>that is identified as permitted or restricted discretionary in Sections A to Sections G of the Energy, and Infrastructure chapter and in TRAN-R1 to TRAN-R9 of the Transport chapters of the Plan;</u>⁷ d. required for maintenance of existing drains and ponds; e. for natural hazard mitigation works carried out by Timaru District Council or Canterbury Regional Council that are permitted by the relevant Plan chapter; f. for cemeteries, including pet cemeteries, and urupā; ⁹ permitted under a National Environment Standard, unless otherwise subject to a rule in this Plan. h. within the building footprint, or within 2m of the outer edge of, a building that has building consent and that complies with EW-S3. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site. 	
All Zones	Activity status: Permitted	Activity status when compliance not achieved with PER-1: Restricted Discretionary
	Where: PER-1 EW-S1, EW-S2, EW-S3, EW-S4 and EW-S5 are complied with; and PER-2 <u>Except where an Archaeological Authority has been obtained from Heritage New Zealand Pouhere Taonga, the earthworks shall be undertaken in accordance with t</u> The <u>Accidental Discovery Protocol commitment form, contained within APP4 - Form</u> confirming a commitment to adhering to an <u>Accidental Discovery Protocol, has been</u>	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.
		Activity status when compliance not achieved with PER-2: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the extent of potential adverse effects on sites where there is the potential for koiwi or artefacts to be discovered;

⁵ Silver Fern Farms [172.96] and Alliance Group [173.99]

⁶ Clause 16(2) Amendment

⁷ Mr. Willis Recommendation – Hearing E

<p>completed and submitted to Council, prior to the commencement of any earthworks.⁸</p>	<p>2. whether there has been prior consultation with Te Rūnanga o Arowhenua and Heritage New Zealand Pouhere Taonga;</p> <p>3. measures to avoid, remedy or mitigate potential adverse effects on potential koiwi or artefacts.</p>
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Standards		
EW-S1	Areas	
<p>1. General Rural Zone</p> <p>Rural Lifestyle Zone</p>	<p>The area of earthworks must be limited to as follows:</p> <ol style="list-style-type: none"> 1. for any primary production activity that is a Permitted Activity in the zone, there is no limit; and 2. for any ancillary rural earthworks, there is no limit; and 3. for other activities: 2,000m² in any 12-month period per site. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and 4. the impact on any overland flow paths.
<p>2. General Residential Zone</p> <p>Medium Density Residential Zone</p>	<p>The area of earthworks must be limited to 250m² in any 12-month period per site.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and⁹ 4. the impact on any overland flow paths; and 5. <u>where the earthworks are within a wāhi tūpuna, wāhi taoka or wāhi tapu overlay:</u> <ol style="list-style-type: none"> a. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u> b. <u>the proposal’s consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> c. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u>

⁸ Heritage NZ [114.37]

⁹ Clause 16(2) Amendment

		<ul style="list-style-type: none"> d. <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</u> e. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and</u> f. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u> <ul style="list-style-type: none"> i. <u>affirm the connection between mana whenua and place; or</u> ii. <u>enhance the cultural values of the site/area; or</u> iii. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u> iv. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance commensurate with the scale and nature of the proposal; and</u> g. <u>where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses.</u>¹⁰
<p>3. Settlement Zone</p> <p>Commercial and mixed use zones</p> <p>General Industrial Zone</p> <p>Clandeboye Manufacturing Zone¹¹</p> <p>Open Space and Recreation zones</p>	<p>The area of earthworks must be limited to 2,000m² in any 12-month period per site.</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and 4. the impact on any overland flow paths; <u>and</u> 5. <u>where the earthworks are within a wāhi tūpuna, wāhi taoka or wāhi tapu overlay:</u> <ul style="list-style-type: none"> a. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u>

¹⁰ Ms. White Recommendation – Hearing E

¹¹ Fonterra [165.95] – Note – Amendment only needed if the Clandeboye Manufacturing Zone is created.

<p>Port Zone</p> <p>Māori Purpose Zone</p>		<ul style="list-style-type: none"> b. <u>the proposal’s consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> c. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u> d. <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</u> e. <u>the appropriateness of any mitigation measures proposed , including the need for an accidental discovery protocol; and</u> f. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u> <ul style="list-style-type: none"> i. <u>affirm the connection between mana whenua and place; or</u> ii. <u>enhance the cultural values of the site/area; or</u> iii. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u> iv. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance commensurate with the scale and nature of the proposal; and</u> g. <u>where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses.</u>¹²
<p>EW-S2</p>	<p>Excavation and filling</p>	
<p>All Zones</p>	<ol style="list-style-type: none"> 1. Earthworks do not exceed a maximum depth or height of 1.5m below or above ground level; and 2. earthworks are not undertaken at any point on land with a slope gradient greater than 1 in 4; and 3. all fill consists¹³ of cleanfill material. <p>Note: <i>A cut or fill height up to 2.5m measured vertically does not need to meet this standard where it is retained by a</i></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on visual amenity, landscape character, outlook and privacy; and 3. adverse effects on the margins of water bodies.

¹² Ms. White Recommendation – Hearing E

¹³ Clause 16(2) Amendment

	<i>building or structure authorised by a building consent (which must be obtained prior to any earthworks commencing).</i>	
EW-S3	Setbacks	
All Zones	Earthworks involving filling and/or excavation must not exceed 0.5m in depth or height <u>below or above ground level</u> ¹⁴ within 1.5m of any site boundary.	Matters of discretion are restricted to: 1. sedimentation and land instability effects; and 2. the impact on outlook and privacy.
EW-S4	Rehabilitation and reinstatement	
All Zones	1. No more than 12 months after the earthworks commenced and on completion of the earthworks, the area of land disturbed as a result of the earthworks must be: a. built upon; or b. sealed with hardstand material; or c. landscaped; or d. recontoured and replanted.	Matters of discretion are restricted to: 1. the impact on visual amenity, landscape character and outlook; and 2. potential dust nuisance, sedimentation, land instability and erosion; and 3. the impact on the area's surface water; and 4. the nature of the vegetation proposed.
EW-S5	Earthworks in proximity of the National Grid and/or a 66kV electricity distribution line, excluding earthworks for: a. a network utility as part of an electricity transmission activity; or b. agricultural or domestic cultivation; or c. the repair, sealing or resealing of a road, footpath, driveway or farm track.	
All Zones	1. Any earthworks must not exceed a depth or fill of 300mm within a distance measured 12m from the outer visible edge of any National Grid support structure; or 2. Earthworks within 12 metres of the centre line of a 110kV or a 220kV National Grid transmission line or within 10 metres of the centre line of a 66kV transmission line must: a. be no deeper or higher than 300mm <u>below or above ground level</u> ¹⁵ within 6m of a foundation of a transmission line support structure; and b. be no deeper than 3m <u>below ground level</u> ¹⁶ when:	Matters of discretion are restricted to: 1. the risk to the structural integrity of the transmission line support structure; and 2. compliance with NZECP 34:2001; and 3. the effects on the ability of the utility operator to operate, upgrade and develop the National Grid and transmission lines, including on-going safe and direct access.

¹⁴ ECan [183.4]¹⁵ ECan [183.4]¹⁶ ECan [183.4]

	<ul style="list-style-type: none"> i. between 6 and 12 metres from the foundation of a 110kV or a 220kV National Grid transmission line support structure; or ii. between 6 and 10 metres from the foundation of a 66kV transmission line support structure; and iii. not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in NZECP 34:2001, unless the requirements of Clause 2.2.3 of NZECP 34:2001 are met. <p><u>Note: Earthworks and land disturbance within the National Grid Yard are assessed in EI-R28.</u>¹⁷</p>	
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Advice Note:

~~In the event that an unidentified archaeological site or a waahi tapu site is located during any earthworks, the following applies:~~

- ~~1. The earthworks must cease immediately at that place and within 20m around the site.~~
- ~~2. Heritage New Zealand Pouhere Taonga must be notified and apply for the appropriate authority if required.~~
- ~~3. Te Rūnanga o Ngāi Tahu must be notified of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken.~~
- ~~4. If human remains (koiwi) are uncovered then the Heritage New Zealand Pouhere Taonga, NZ Police and Te Rūnanga o Ngāi Tahu must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.~~
- ~~5. Works affecting the archaeological site shall not resume until Heritage New Zealand Pouhere Taonga, the Police (if skeletal remains are involved) and Te Rūnanga o Ngāi Tahu have each given the necessary approval for work to continue.~~

~~Evidence of archaeological sites can include oven stones, charcoal, shell middens, ditches, banks, and pits, building foundations, artefacts of Māori and Non-Māori origin or human burials.~~¹⁸

¹⁷ Transpower [159.89]

¹⁸ Clause 16(2) Amendment

RELOCATED BUILDINGS AND SHIPPING CONTAINERS RECOMMENDED CHANGES TO PROVISIONS

Introduction

The ability to relocate and use buildings and shipping containers contributes to the economic wellbeing of the Timaru District by providing for the sustainable, and affordable, reuse of existing buildings and shipping containers. However, the use of relocated buildings and shipping containers can result in adverse visual amenity effects. Both can appear inconsistent with the established character of the area and if left unfinished for a long period of time can also look untidy. For these reasons, this chapter manages the relocation of buildings and shipping containers as a specific land use activity.

The relocation of heritage buildings listed in SCHED3 – Schedule of Historic Heritage Items is managed by provisions in the Historic Heritage chapter.¹

Objectives

RELO-O1	Relocated buildings and shipping containers
Relocated buildings and shipping containers occur where they will have minimal adverse effects on the character and visual amenity values of the <u>surrounding area</u> . ²	

Policies

RELO-P1	Relocated buildings and shipping containers in <u>the General Industrial Zone and Port Zone</u> ³
Enable the relocation of buildings and shipping containers in the General Industrial <u>z</u> Zone ⁴ and Port Zone.	
RELO-P2	Shipping containers in all other zones
Enable shipping containers where: <ul style="list-style-type: none"> 1. they are screened so that they are not visible from any road; or⁵ 2. they are positioned in a location that does not dominate the streetscape; and 3. they do not adversely affect the character and amenity values of the surrounding area. 	
RELO-P3	Relocated buildings in all other zones
Provide for relocated buildings where: <ul style="list-style-type: none"> 1. the exterior appearance and materials of any relocatable building is consistent with the character and amenity values of the surrounding area; and 2. any reconstruction, repair or reinstatement works are limited in duration. 	

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. All relocated buildings and shipping containers are subject to the underlying zone rules and standards in Part 3 –

¹ Heritage New Zealand [114.7]

² Clause 16(2) Amendment

³ Clause 16(2) Amendment

⁴ Clause 16(2) Amendment

⁵ Rooney Holdings (174.74), Rooney, GJH (191.74), Rooney Group (249.74), Rooney Farms (250.74), Rooney Earthmoving (251.74) and TDL (252.74)

Area Specific Matters – Zone Chapters. The provisions of Part 2 – District-wide Matters Chapters also apply to relocated buildings and shipping containers. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW – How the Plan Works - General Approach.

RELO-R1 Placement of a relocated building	
<p>1 General Industrial Zone Port Zone</p>	<p>Activity status: Permitted</p> <p>Activity status where compliance not achieved: Not applicable</p>
<p>2 All zones except the General Industrial Zone and Port Zone</p>	<p>Activity status: Controlled Permitted</p> <p>Where:</p> <p><u>PER-1</u> <u>The relocated building is designed and built for its intended purpose.</u></p> <p><u>PER-2</u> <u>A reinstatement works report prepared by a licensed building practitioner accompanies the application for building consent. The report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification by the property owner that the reinstatement works will be completed within a 12 month period from the date the relocated building is being moved to the site.</u></p> <p><u>PER-3</u> <u>The relocated building shall be located on permanent foundations approved by building consent, no later than two months of the building being moved to the site.</u></p> <p><u>PER-4</u> <u>All reinstatement works must be undertaken in accordance with the reinstatement work report within a 12 month period in accordance with PER-2.</u></p> <p><u>PER-5</u> <u>Once all reinstatement works have been completed written confirmation is supplied to Council.</u></p> <p><u>CON-1</u> The applicant has entered into a contract with a Licensed Building Practitioner that</p> <p>Activity status where compliance is not achieved: Restricted Discretionary</p> <p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the timeframe to permanently site the building on foundations and to repair any damage to the exterior of the building; and 2. the quantum and details of a bank bond to guarantee the building is permanently located on foundations and any damage to the exterior is completed; and 3. the exterior appearance and materials of the building.

	<p>confirms that within twelve months of the building being located on the site:</p> <ol style="list-style-type: none"> 1. the building will be permanently sited on foundations; and 2. any damage to the exterior of the relocated building will be repaired to a tradesman's like manner. <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> 1. The exterior appearance and materials of the building; and; 2. Method and timing of notification to council to monitor the consent.⁶ <p><i>Note: This rule does not apply if the building is a temporary activity provided for in TEMP - Temporary Activity Chapter.</i></p>							
RELO-R2	Placement of a shipping container							
<p>1 General Industrial Zone Port Zone</p>	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>						
<p>2 All zones except the General industrial Zone and the Port Zone</p>	<p>Activity Status: Controlled</p> <p>Where:</p> <p>CON-1 The shipping container is either:</p> <ol style="list-style-type: none"> 1. located more than 20m from a road boundary; or 2. is not visible from the road; and⁷ <p>CON-2 The maximum <u>total gross floor⁸ area and number⁹</u> of all shipping containers on the site does not exceed:</p> <table border="1" data-bbox="284 1574 868 1727"> <thead> <tr> <th data-bbox="284 1574 483 1727">Site area</th> <th data-bbox="483 1574 715 1727">Total Gross floor¹⁰ area of shipping containers¹¹</th> <th data-bbox="715 1574 868 1727">Number of shipping containers</th> </tr> </thead> <tbody> <tr> <td style="height: 40px;"></td> <td></td> <td></td> </tr> </tbody> </table>	Site area	Total Gross floor ¹⁰ area of shipping containers ¹¹	Number of shipping containers				<p>Activity status where compliance is not achieved with CON-1 or CON-2¹⁵: Restricted Discretionary</p> <p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. location on the site; and 2. visibly of the shipping container beyond the boundary of the site; and 3. the exterior appearance of the shipping container; and 4. landscaping and screening; and 5. the number of shipping containers on the site and cumulative effects on visual amenity and the character of the area.
Site area	Total Gross floor ¹⁰ area of shipping containers ¹¹	Number of shipping containers						

⁶ NZHHA [184.1]

⁷ Clause 10(2)(b) Amendment - Rooney Holdings (174.74), Rooney, GJH (191.74), Rooney Group (249.74), Rooney Farms (250.74), Rooney Earthmoving (251.74) and TDL (252.74)

⁸ ECan [183.1]

⁹ Prodanov, T [117.4]

¹⁰ ECan [183.1]

¹¹ Clause 16(2) Amendment

¹⁵ Clause 16(2) Amendment

<10ha	230m ²	2
>10ha	230m ² per 10ha of site area	2 per 10ha of site area ¹²

and

CON-3

There is no stacking of shipping containers.

Matters of control are reserved to:

1. location of the shipping container on the site; and
2. the exterior appearance of the shipping container;
3. screening and landscaping;¹³

Note: This rule does not apply if the shipping container is a temporary activity provided for in TEMP - Temporary Activity Chapter.¹⁴

Definitions

Relocated Building

Means any building that is relocated, in whole or in part, from one site to another, but excludes:

- a. shipping containers; and
- b. new buildings specifically constructed for relocation to another site; and
- c. non-motorised caravans; and
- d. heritage buildings listed in SCHED3 – Schedule of Historic Heritage Items.¹⁶

¹² Prodanov, T [117.4]

¹³ Clause 16(2) Amendment

¹⁴ Clause 16(2) Amendment

¹⁶ Heritage New Zealand [114.7]

SIGNS - RECOMMENDED CHANGES TO PROVISIONS

Introduction

Signs provide benefits to people and communities by providing useful information, advertising events, products, services and businesses, and by identifying places and providing directions. Signs however can detract from the amenity and character of an area, adversely affect traffic safety and cause a nuisance. Accordingly, this chapter enables signage but manages its adverse effects.

The provisions of this chapter apply district-wide, with specific provisions also applying in more sensitive zones.

Signs within a state highway road reserve require approval from Waka Kotahi (New Zealand Transport Agency) regardless of the provisions in this District Plan. Please refer to Waka Kotahi for more information. Please also refer to the Timaru District Council Consolidated Bylaws regarding signage, particularly signage in public places. Election signs, including the size, design of lettering and time period for display are controlled by the Electoral Act 1993 and its associated regulations.

Objectives

SIGN-O1	Signs
	Signs contribute to the social, cultural and economic wellbeing of the Timaru District while: <ol style="list-style-type: none"> 1. supporting the needs of business, infrastructure and community activities; 2. maintaining or enhancing the character and amenity values of the surrounding area; and 3. maintaining public safety.

Policies

SIGN-PX	Signs
	Enable signs (excluding off-site signs) in all zones, where: <ol style="list-style-type: none"> 1. <u>they are an official sign</u>; or 2. <u>they meet the requirements in SIGN-P1 and SIGN-P2.</u>¹
SIGN-P1	Managing the effects of signs <u>Character and amenity effects</u> ²
	Enable signs in all zones, but r Require <u>signs (excluding official signs)</u> ³ to: <ol style="list-style-type: none"> 1. be compatible with the purpose, character and qualities of the Zone in which they are located; and 2. be compatible to⁴ <u>with</u> the design and visual amenity of the building on which they are located; and 3. not contribute to <u>minimise</u> visual clutter <u>and/or</u> <u>adverse</u> cumulative effects.⁵
SIGN-P2	<u>Managing Road safety effects</u> ⁶
	Require that signs <u>to be</u> are ⁷ designed and located so they do not compromise the safe use of any road by motorists, pedestrians and other road users, by:

¹ Waka Kotahi [143.121]

² Clause 16(2) Amendment

³ Waka Kotahi [143.121]

⁴ Clause 16(2) Amendment

⁵ Out of Home Media [188.4]

⁶ Clause 16(2) Amendments

⁷ Clause 16(2) Amendments

1. ensuring the type, scale, design and location of signs are appropriate to the classification of road; and
2. ~~ensuring signs do not cause~~ minimising⁸ motorist distraction or confusion; ~~and~~
3. ~~ensuring~~ including, but not limited to, distraction caused by sign proliferation, illumination levels, light spill, flashing and moving signs ~~images and digital signs do not cause distraction;~~⁹
4. ensuring signs do not imitate, compete with, or give instructions that conflict with traffic signs or traffic control devices; and
5. minimising the potential for line of sight obstruction.

SIGN-P3 **Off-site Commercial advertising¹⁰ signs**

Avoid ~~new~~ off-site commercial advertising¹¹ signs not provided for under SIGN-P4, unless:

1. ~~it can be demonstrated it will not establish a precedent or result in similar applications to request equivalent treatment~~ the sign is located within the CMUZ, GIZ or PORTZ or is consistent with the character and amenity values of the surrounding area; and¹²
2. it will not create ~~cumulative~~ cumulative adverse effects; and¹³
3. it meets the requirements detailed in SIGN-P1 and SIGN-P2.

SIGN-P4 **Off-site signs — Open space and recreation zones**

Provide for off-site signs in the Open space and recreation zones, only where the off-site sign:

1. is ancillary to a recreational activity on the site; and
2. will not be visible beyond the site; or
3. will be erected for a temporary period only.

Rules

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SIGN-R1	Official signs	
All zones	Activity status: Permitted	Activity status when compliance is not achieved: Not applicable
SIGN-R2	Temporary signs <u>(excluding real estate and development signs)</u>¹⁴	
All zones	Activity status: Permitted Where: PER-1 The sign is associated with a temporary event <u>or activity</u> permitted by the TEMP-Temporary activities chapter; and	Activity status when compliance is not achieved with PER-4 or PER-5: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.

⁸ Out of Home Media [188.5]

⁹ Clause 16(2) Amendments

¹⁰ Out of Home Media [188.6]

¹¹ Out of Home Media [188.6]

¹² Go Media [18.3], Fi Glass [161.3], Out of Home Media [188.6], Griff Simpson Family [199.3], Red Sky [233.3]

¹³ Clause 16(2) Amendment

¹⁴ Clause 16(2) Amendment

	<p>PER-2 The sign must be erected no more than four weeks before the first day of the event <u>or activity</u>; and</p> <p>PER-3 The sign must be removed within one week of the event <u>or activity</u> ending; and¹⁵</p> <p>PER-4 The sign must comply with the height in relation to boundary, height and setback requirements for the Zone, except for the road boundary setback requirement; and</p> <p>PER-5 The activity complies with all the Standards of this chapter.</p>	<p>Note: Where compliance with PER-4 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status when compliance is not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
SIGN-R3	Real estate and development signs	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign must be removed within one week after completion of the sale of the site or completion of development or demolition works on the site; and</p> <p>PER-2 The sign must be located on the site that is being sold or the site that the development or demolition work is taking place; and</p> <p>PER-3 The sign must comply with the height in relation to boundary, height and setback requirements for the Zone, except for the road boundary setback.</p>	<p>Activity status when compliance is not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note: Where compliance with PER-3 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status where compliance is not achieved with PER-1 or PER-2: Discretionary</p>
SIGN-R4	Any signs not otherwise <u>listed</u> address in the Rules section of this chapter¹⁶	
1. Commercial and mixed use zones¹⁷	<p>Activity status: Permitted</p> <p>Where:</p>	Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary

¹⁵ Clause 16(2) Amendments

¹⁶ Clause 16(2) Amendment

¹⁷ Go Media [18.4], ANSTAR [47.1], Fi Glass [161.4], Out of Home Media [188.7] Griff Simpson Family [199.4] and Red Sky [233.3]

<p>Residential zones</p> <p>Rural zones</p> <p>Māori Purpose Zone</p>	<p>PER-1 The sign is not an off-site sign; and</p> <p>PER-2 The sign must not be flashing or moving; and</p> <p>PER-3 The sign must comply with the height in relation to boundary requirements for the Zone; and</p> <p>PER-4 The activity complies with all the Standards of this chapter.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note: Where compliance with PER-3 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status where compliance not achieved with PER-2: Discretionary</p> <p>Activity status where compliance not achieved with PER-1: Non-complying</p>
<p>2. Open space and recreation zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign: <ol style="list-style-type: none"> 1. is not an off-site sign; or 2. is an off-site sign which: <ol style="list-style-type: none"> a. is for commercial sponsorship of a recreation activity; and b. will not be visible beyond the site; and </p> <p>PER-2 The sign is ancillary to a recreation activity; and</p> <p>PER-3 The sign must meet the height <u>in relation</u> to boundary requirements for the Zone; and¹⁸</p> <p>PER-4 The activity complies with all the Standards of this chapter.</p>	<p>Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note: Where compliance with PER-4 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status where compliance not achieved with PER-2: Discretionary</p> <p>Activity status where compliance not achieved with PER-1: Non-complying</p>
<p>3. Commercial and Mixed Use Zones</p> <p>General Industrial Zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign is not an off-site sign; and</p> <p>PER-2</p>	<p>Activity status where compliance not achieved with PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note:</p>

¹⁸ Clause 16(2) Amendment

<u>Clandeboye Manufacturing Zone</u> ¹⁹ Port Zone	<p>The sign must comply with the height in relation to boundary requirements for the Zone; and</p> <p>PER-3 <u>The sign if located in a commercial or mixed use zone must not be flashing or moving; and</u></p> <p>PER-4 The activity complies with all the Standards of this chapter.</p>	<p>Where compliance with PER-2 is not achieved, the matters of discretion for the zone requirements apply.</p> <p><u>Activity status where compliance not achieved with PER-3: Discretionary</u></p> <p><u>Activity status where compliance not achieved with PER-1: Restricted Discretionary Non-complying</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>The sign is located in the LFRZ, CCZ, GIZ or PORTZ</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>any impact on the character and amenity values of the surrounding area; and</u> 2. <u>whether the sign contributes to visual clutter; and</u> 3. <u>any adverse cumulative effects;</u> 4. <u>any adverse effects on traffic safety; and</u> 5. <u>any positive effects of the sign.</u> <p><u>Activity status where compliance not achieved with RDIS-1: Discretionary</u>²⁰</p>

Standards		
SIGN-S1	Traffic safety	
All zones	<ol style="list-style-type: none"> 1. All freestanding signs visible from State Highways must be erected at a right angle to the road or within a variance of 15° either side of the right angle. 2. No sign shall be erected adjacent to a road in a manner that will: <ol style="list-style-type: none"> a. obstruct the line of sight of any road corner, bend or intersection, or vehicle crossing; or 	<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. traffic safety; and 2. the design and location of the sign; and 3. any positive effects of the sign.

¹⁹ Fonterra [165.120] – *Note amendment only required if the Clandeboye Manufacturing Zone is created*

²⁰ Go Media [18.4], ANSTAR [47.1], Fi Glass [161.4], Out of Home Media [188.7] Griff Simpson Family [199.4] and Red Sky [233.3]

	<ul style="list-style-type: none"> b. obstruct, obscure or impair the view of any traffic sign or signal; or c. resemble or be likely to be confused with any traffic sign or signal; or d. use reflective materials that may interfere with a road user's vision. <p>3. All signs within 10 horizontal metres of a road <u>designed to be read by motorists</u> must comply with the minimum lettering sizes in Table 27 — Minimum lettering size.²¹</p> <p>4. All signs within 10 horizontal metres of a road <u>must comply with the minimum setback distances from other signs as read from one direction and measured parallel to the centre line of the road in Table 28</u> — Separation distances.²²</p>	
SIGN-S2	Illuminated, moving, flashing and digital signs	
All zones	<ul style="list-style-type: none"> 1. <u>Any</u> illuminated, moving, flashing or digital display sign must not display a digital or pre-recorded broadcast.²³ 2. Any illuminated, moving, flashing or digital display sign must only display still images, and where multiple still images are displayed, each still image must be displayed for a minimum of 30 <u>10</u>²⁴ seconds each before changing to a different still image, and there must be no transitions between still images apart from cross-dissolve of a maximum of 0.5 seconds. 3. No illuminated, moving, flashing or digital display sign must be visible to vehicles travelling on a legal road within 400 <u>50</u> metres of an <u>signalised intersection</u>,²⁵ <u>measured in accordance with Figure 15 in the TRAN chapter</u>.²⁶ 	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. the frequency and intensity of flashing and/or image change; and 2. extent of illumination when visible from a public place or neighbouring property; and 3. impact on surrounding activities; and 4. impacts on the amenity and character of the surrounding environment; and 5. whether the sign would result in any direct light overspill onto a residential property or the road network; and 6. <u>any adverse effects on traffic safety</u>; <u>and</u>²⁹ 7. any positive effects of the sign.

²¹ Waka Kotahi [143.125]

²² Go Media [18.8], Fi Glass [161.8], Out of Home Media [188.8], Griff Simpson Family [199.8] and Red Sky [233.8]

²³ Clause 16(2) Amendment

²⁴ Go Media [18.5], Fi Glass [161.5], Out of Home Media [188.9], Griff Simpson Family [199.5] and Red Sky [233.5]

²⁵ Out of Home Media [188.9]

²⁶ Clause 16(2) Amendment

²⁹ Waka Kotahi [143.126]

	<ol style="list-style-type: none"> 4. No illuminated, moving, flashing or digital display sign is to be visible from and/or located within 50 metres of a Residential zone or a residential unit. 5. No illuminated, moving, flashing or digital display sign shall create more than 10.0 lux spill (horizontal and vertical) of light when measured or calculated 2m within the boundary of any adjacent site or road. 6. Illumination levels of any sign must not exceed 250 candelas per square metre between sunset and sunrise. 7. Illumination levels of any sign must not exceed <u>25000</u> candelas per square metre between sunrise and sunset.²⁷ 8. <u>Illuminated signs must incorporate a lighting control to adjust brightness in line with ambient light levels.</u>²⁸ 9. No digital sign is to be located adjoining a State Highway <u>with a speed limit of 70km/hr or more.</u> 	
SIGN-S3	Maximum height of signage	
1. All zones	Any temporary sign must not exceed 3m in height, measured from ground level.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
2. Commercial and Mixed Use zones Open Space and Recreation zones General Industrial Zone	<ol style="list-style-type: none"> 1. Any freestanding sign must not exceed 48m in height, measured from ground level. 2. Any sign attached to a building must not extend above facade height. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign is compatible with the built form on the site; and 3. whether the sign contributes to visual clutter; and 4. any adverse cumulative effects; and 5. any positive effects of the sign.

²⁷ Go Media [18.5], Fi Glass [161.5], Out of Home Media [188.9], Griff Simpson Family [199.5] and Red Sky [233.5]

²⁸ Go Media [18.5], Fi Glass [161.5], Out of Home Media [188.9], Griff Simpson Family [199.5] and Red Sky [233.5]

Clandeboye Manufacturing Zone³⁰		
Port Zone		
X Open Space and Recreation zones	<ol style="list-style-type: none"> Any freestanding sign must not exceed 4m in height, measured from ground level. Any sign attached to a building must not extend above facade height. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> any impact on the character and amenity values of the surrounding area; and whether the sign is compatible with the built form on the site; and whether the sign contributes to visual clutter; and any adverse cumulative effects; and any positive effects of the sign.³¹
3. Rural zones	Any sign must not exceed 3m in height, measured from ground level.	Matters of discretion are restricted to: <ol style="list-style-type: none"> any impact on the character and amenity values of the surrounding area; and whether the sign contributes to visual clutter; and any adverse cumulative effects; and any positive effects of the sign.
Māori Purpose Zone		
4. Residential zones	There is no maximum height under this standard.	Matters of discretion are restricted to: Not applicable <ol style="list-style-type: none"> any impact on the character and amenity values of the surrounding area; and whether the sign contributes to visual clutter; and any adverse cumulative effects; and any positive effects of the sign.³²
SIGN-S4	Maximum area of a sign	
1. All zones	<ol style="list-style-type: none"> Any temporary sign must not exceed 2m² in area but may be double sided. Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> any impact on the character and amenity values of the surrounding area; and whether the sign contributes to visual clutter; and any adverse cumulative effects; and any positive effects of the sign.
2.	<u>Where a site has a road frontage less than 50m</u> Any freestanding sign must not exceed 5m ² <u>6m²</u> in area. <u>For sites with a</u>	Matters of discretion are restricted to:

³⁰ Fonterra [165.121] – Note amendment only required if the Clandeboye Manufacturing Zone is created

³¹ Go Media [18.6], Fi Glass [161.6], Out of Home Media [188.10], Griff Simpson Family [199.6] and Red Sky [233.6]

³² Clause 16(2) Amendment

Commercial and Mixed Use zones	<u>road frontage of 50m or more the maximum area of any freestanding sign must not exceed 18m². Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.</u>	<ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign is compatible with the built form on the site; and 3. whether the sign contributes to visual clutter; and 4. any adverse cumulative effects; and 5. any positive effects of the sign.
3. Residential zones	The maximum total area of signs on any site must not exceed 0.5m ² . Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
4. Rural zones Māori Purpose Zone	The maximum total area of signs on any site shall not exceed 3m ² . Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
5. Open Space and Recreation zones	<ol style="list-style-type: none"> 1. The surface area of a commercial sponsorship sign must not exceed 3m² in area. Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign. 2. The surface area of a sign displaying the club/s name must not exceed 5m² in area. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign is compatible with the built form on the site; and 3. whether the sign contributes to visual clutter; and 4. any adverse cumulative effects; and 5. any positive effects of the sign.
6. General Industrial Zone <u>Clandeboye Manufacturing Zone</u> ³³ Port Zone	There is no maximum area of a sign.	Matters of discretion are restricted to: Not applicable
SIGN-S5	Maximum number of temporary signs	
1.	There shall be no more than one temporary sign per site.	Matters of discretion are restricted to:

³³ Fonterra [165.122] – Note amendment only required if the Clandeboye Manufacturing Zone is created

<p>Residential zones</p> <p>Rural zones</p> <p>Māori Purpose Zone</p>		<ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. <u>any adverse effects on traffic safety; and</u>³⁴ 5. any positive effects of the sign.
<p>2. Commercial and Mixed Use zones</p> <p>General Industrial Zone</p> <p>Clandeboye Manufacturing Zone³⁵</p> <p>Port Zone</p> <p>Open Space and Recreation zones</p>	<p>There shall be no more than three temporary signs per site.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. <u>any adverse effects on traffic safety; and</u>³⁶ 5. any positive effects of the sign.
<p>SIGN-S6</p>	<p>Maximum number of signs (not including Official signs and Temporary signs)</p>	
<p>1. Commercial and Mixed Use zones</p> <p>General Industrial Zone</p> <p>Clandeboye Manufacturing Zone³⁷</p> <p>Port Zone</p>	<p>There shall be no limit <u>more than one freestanding sign per road frontage located on a site. A freestanding sign may advertise multiple premises located on the site.</u></p>	<p>Matters of discretion are restricted to: Not applicable</p> <ol style="list-style-type: none"> 1. <u>any impact on the character and amenity values of the surrounding area; and</u> 2. <u>whether the sign contributes to visual clutter; and</u> 3. <u>any adverse cumulative effects; and</u> 4. <u>any adverse effects on traffic safety; and</u> 5. <u>any positive effects of the sign.</u>³⁸

³⁴ Waka Kotahi [143.127]

³⁵ Clause 10(2)(b) Amendment – Fonterra [165.20-165.123] – *Note amendment only required if the Clandeboye Manufacturing Zone is created*

³⁶ Waka Kotahi [143.128]

³⁷ Fonterra [165.123] – *Note amendment only required if the Clandeboye Manufacturing Zone is created*

³⁸ Clause 10(2)(b) Amendments - Go Media [18.8], Fi Glass [161.8], Out of Home Media [188.8 and 188.13], Griff Simson Family [199.8] and Red Sky [233.8]

2. Residential zones Rural zones Māori Purpose Zone	There shall be no more than one sign per road frontage located on a site.	Matters of discretion are restricted to: <ol style="list-style-type: none"> any impact on the character and amenity values of the surrounding area; and whether the sign contributes to visual clutter; and any adverse cumulative effects; and <u>any adverse effects on traffic safety; and</u>³⁹ any positive effects of the sign.
3. Open Space and Recreation zones	There shall be no more than two signs per site visible from beyond the site.	Matters of discretion are restricted to: <ol style="list-style-type: none"> any impact on the character and amenity values of the surrounding area; and whether the sign contributes to visual clutter; and any adverse cumulative effects; and <u>any adverse effects on traffic safety; and</u>⁴⁰ any positive effects of the sign.
SIGN-S7	Sign content	
All zones	A sign must not display words, images, or model (human or mannequin) that are sexually explicit, lewd, racist or otherwise offensive content.	Matters of discretion are restricted to: <ol style="list-style-type: none"> the content of the sign.

 Table 27 — Minimum lettering size⁴¹

Regulatory speed limit of adjoining road	Main message	Secondary message
Km/hr	Minimum lettering height (mm)	Minimum lettering height (mm)
0–50	400	75
51–70	450	100
71–80	475	125
81–100	200	150

Posted speed limit of adjoining road (km/h)	Letter height		
	Main message	Property Name	Secondary Message
50	150	100	75

³⁹ Waka Kotahi [143.128]

⁴⁰ Waka Kotahi [143.128]

⁴¹ Waka Kotahi [143.129]

<u>60</u>	<u>175</u>	<u>125</u>	<u>90</u>
<u>70</u>	<u>200</u>	<u>150</u>	<u>100</u>
<u>80</u>	<u>250</u>	<u>175</u>	<u>125</u>
<u>100</u>	<u>300</u>	<u>200</u>	<u>150</u>

Table 28 — Separation distances⁴²

Regulatory speed limit (km/hr)	Separation distance (m)
0–70	60
71–80	70
81–100	80

⁴² Out of Home Media [188.8 and 188.13], Go Media [18.8], Fi Glass [161.8], Griff Simson Family [199.8] and Red Sky [233.8]

Definitions

Off-site signs

means any sign that is used to advertise activities, goods and services that are not undertaken, sold or provided on the site on which the sign is located but excludes any temporary sign.⁴³

⁴³ Clause 16(2) Amendment

TEMPORARY ACTIVITIES - RECOMMENDED CHANGES TO PROVISIONS

Introduction

Temporary activities have a limited duration and therefore generally ¹ generate temporary adverse effects on the environment. These activities include, but are not limited to, public and community events that provide important social, cultural and recreational opportunities. Temporary activities also include temporary buildings that are necessary for construction work, temporary military training activities required under the Defence Act 1990, and housing recovery temporary accommodation for displaced people following a declared emergency event.

Temporary activities are provided for by this chapter subject to controls to ensure they can occur without having significant adverse effects on the character and qualities of the environment in which they occur and without causing any permanent effects on the environment.

Temporary activities occurring on the surface of water are managed by provisions in the ASW chapter.²

As detailed in Part 1 – HPW – Statutory Context, freedom camping, as defined in Section 5 of the Freedom Camping Act 2011, is not managed by the District Plan and is managed by the Freedom Camping Act 2011.³

Objectives

TEMP-O1 Temporary activity

Temporary activities occur when they:

1. contribute to the wellbeing of the community and vitality of the District; and
2. have a limited duration and do not cause significant adverse effects on the environment; and
3. do not permanently alter the environment.

Policies

TEMP-P1 Benefits of temporary activities

Recognise the social, economic, cultural and environmental benefits of temporary activities, including:

1. temporary events and temporary emergency services training activities⁴ that enhance the quality of life, commercial opportunities and the vitality of the district;
2. temporary buildings that enable construction projects;
3. temporary military training activities that maintain the nation's security, the New Zealand Defence Force's operational capacity and the wellbeing, health and safety of communities;
4. housing recovery temporary accommodation that provides essential accommodation for displaced people while the affected properties are being repaired and rebuilt following an emergency.

TEMP-P2 Temporary Construction, temporary military training activity,⁵ temporary emergency services training activity⁶ and temporary events

¹ Clause 16(2) Amendment

² Clause 16(2) Amendment

³ NZMCA [134.1, 134.2 and 134.6]

⁴ Clause 10(2)(b) Amendment – FENZ [131.4 and 131.16]

⁵ Clause 16(2) Amendment

⁶ Clause 10(2)(b) Amendment – FENZ [131.4 and 131.16]

Ensure that any temporary construction buildings and structures, temporary military training activities, temporary emergency services training activities⁷ and temporary events, including those with ancillary buildings and structures, are compatible with the surrounding environment by requiring that they:

1. are for a limited duration only; and
2. do not result in permanent adverse effects on the environment; and
3. do not adversely affect the safety and efficiency of the transport network; and
4. are of a scale and location that is compatible consistent⁸ with the anticipated character and qualities of the zone where they occur; and
5. do not have the potential to have significant adverse effects on the environment.

TEMP-P3 Housing Recovery Temporary Accommodation

Enable housing recovery temporary accommodation following an emergency on:

1. private land when the accommodation is required to accommodate the owner(s) and / or occupier(s) of the land during repairing/rebuilding of the site's principal building(s); and
2. public land when the Ministry of Business, Innovation and Employment has announced that a temporary accommodation village is required;

Where the land:

3. has the ability to connect to essential infrastructure services; and
4. can integrate with the road network and public transport services; and
5. will not have a permanent adverse effects on significant natural and cultural values;

While ensuring:

6. the activity is not permanently established unless provided for by the District Plan; and
7. the site can be returned to its original condition; and
8. a management plan is in place to ensure solid waste, fire hazard and amenity effects on the surrounding area are minimised; and
9. the scale of the accommodation is responsive to the available capacity of essential infrastructure.

TEMP-P4 Temporary motorsport events

Only allow temporary motorsport events, including any ancillary buildings and structures, where they:

1. are located in the General rRural zZone;⁹
2. are for a limited duration only; and
3. do not adversely affect the safety of the transport network; and
4. do not result in excessive adverse noise, and dust effects; and
5. do not have the potential to have significant adverse effects on the environment.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Where rules in this chapter are more lenient than the rules in Part 3 — Area Specific Matters - Zone Chapters, rules in this chapter take precedence. Unless otherwise specified in this chapter, the provisions of Part 2 - District-wide Matters Chapters still apply to activities provided for in this chapter and therefore resource consent may be required by the rules in Part 2.

⁷ Clause 10(2)(b) Amendment – FENZ [131.4 and 131.16]

⁸ NZDF [151.5]

⁹ Clause 16(2) Amendment

Activities¹⁰ not listed in the rules of this chapter are classified as a permitted under this chapter. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

TEMP-R1	Temporary buildings and structures ancillary to construction work	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The temporary building and/or structure is located on the same site as the associated construction work <u>unless, the building and/or structure is associated with construction work within the road or rail corridor and is located on a site directly adjoining the road or rail corridor;</u> and</p> <p>PER-2 The maximum combined gross floor area of any temporary buildings and/or structures does not exceed 50m² where the site is located within or adjoining a Residential zone; and</p> <p>PER-3 The temporary building and/or structure is removed from the site upon completion of the associated construction work, or within 24 months from the date it was located on the site, whichever is sooner; and</p> <p>PER-4 The temporary building and/or structure must comply with the height, height in relation to boundary, and setback requirements of the zone where the activity is located.</p> <p>Note: The activity must comply with NOISE-R4.¹¹</p>	<p>Activity status where compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss of privacy and loss of amenity; and 2. location and design. <p>Activity status where compliance not achieved with PER-1 or PER-2 or PER-3: Discretionary</p>
TEMP-R2	Temporary military training activities	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building or structure is removed within seven calendar days after completion of the</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss of privacy and loss of amenity; and

¹⁰ NZMCA [134.1, 134.2 and 134.6]

¹¹ Clause 16 Amendment

	<p>activity, unless the building or structure and its use are permitted in the zone it is located; and</p> <p>PER-2 The duration of <u>temporary military training activities</u> the activity at any one site does not exceed a total of 31 calendar days per year on any site, excluding set-up and pack-out activities; and</p> <p>PER-3 If located on the site for longer than 7 consecutive days, any <u>All building(s) and structure(s) located on a site more than seven calendar days must comply</u>es with the height in relation to boundary and setback <u>requirements</u> rules and standards of the zone in which the site is located; and</p> <p>PER-4 Where excavation is carried out, the ground is returned to its original condition within seven calendar days after completion of the activity.¹²</p> <p>Note:</p> <ol style="list-style-type: none"> The activity must comply with NOISE-R3 and EW-R1.¹³ <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity.</i> 	<ol style="list-style-type: none"> location and design of buildings and structures;¹⁴ and traffic safety; and dust and sediment control; and ground stability; and the ability to return the site to its original condition; and the duration of the activity, including the period buildings and structures will remain on site. <p>Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> loss of outlook, shading, loss of privacy and loss of amenity; and location and design; and ground contour of any excavated areas; <u>and</u>¹⁵ dust and sediment control; and ground stability.
<p>TEMP-R3</p>	<p>Temporary events and <u>temporary emergency services training activities</u>¹⁶</p>	
<p>All zones except Open Space Zone and Sport and Active</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p>	<p>Activity status where compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> ground contour of any excavated areas;

¹² NZDF [151.7]

¹³ Clause 16(2) Amendment

¹⁴ Clause 16(2) Amendment

¹⁵ Clause 16(2) Amendment

¹⁶ FENZ [131.4 and 131.16]

Recreation Zone¹⁷	<p>The duration of the <u>temporary¹⁸ event or temporary emergency services training activity¹⁹</u> does not exceed seven consecutive calendar days; and</p> <p>PER-2 The site is not used for more than two <u>temporary events²⁰ or temporary emergency services training activities²¹</u> per calendar year; and</p> <p>PER-3 Any ancillary building(s) or structure(s) are not erected more than <u>7 seven</u> calendar days prior to the event commencing, and are removed within <u>7 seven</u> calendar days following the completion of the <u>temporary²² event or temporary emergency services training activity²³</u>; and</p> <p>PER-4 No permanent or mechanical excavation is carried out.</p> <p>Note:</p> <ol style="list-style-type: none"> The activity must comply with NOISE-R2 and EW-R1.²⁴ <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity.</i> 	<ol style="list-style-type: none"> dust and sediment control; and ground stability; and visual amenity. <p>Activity status where compliance not achieved with PER-1 or PER-2 or PER-3: Discretionary</p>
TEMP-R4	Housing recovery temporary accommodation on private land	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1</p>	<p>Activity status where compliance not achieved with PER-5: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p>

¹⁷ Rooney Holdings [174.76], Rooney, GJH [191.76], Rooney Group [249.76], Rooney Farms [250.76], Rooney Earthmoving [251.76] and TDL [252.76]

¹⁸ Clause 16(2) Amendment

¹⁹ FENZ [134.4]

²⁰ Clause 16(2) Amendment

²¹ FENZ [134.4]

²² Clause 16(2) Amendment

²³ FENZ [134.4]

²⁴ Clause 16(2) Amendment

	<p>It is required to accommodate the owner(s) or occupier(s) of the site while their home or business on the site is being repaired / reconstructed; and</p> <p>PER-2 The accommodation is a portable building; and</p> <p>PER-3 The accommodation is removed within 14 days upon the completion of the repairs/reconstruction; and</p> <p>PER-4 The accommodation can be connected to Council’s reticulated services where available; and</p> <p>PER-5 It complies with the height in relation to boundary and setback rules / standards of the underlying zone.</p> <p>Note: 1. <i>This activity is not required to comply with SW — Stormwater management chapter.</i></p>	<p>1. loss of outlook, shading, loss of privacy and loss of amenity; and 2. location and design; and 3. matters described in the relevant rules and standards</p> <p>Activity status where compliance not achieved with PER-1, PER-2, PER3 or PER4: Discretionary</p>
TEMP-R5	Housing Recovery Temporary Accommodation Village on public land	
<p>Public land within:</p> <p>Open Space Zone</p> <p>Sports and Active Recreation zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The village is established on the following sites: 1. Ashbury Park 2. Sir Basil Arthur Park 3. Russell Square; and</p> <p>PER-2 The Ministry of Business, Innovation and Employment or Timaru District Council has determined that a temporary accommodation village is required for the District and the village is managed by these parties; and</p> <p>PER-3 The maximum number of residential units and residents are limited as follows:</p>	<p>Activity status where compliance not achieved with PER-5: Restricted Discretionary</p> <p>Matters of discretion are restricted to: 1. matters described in the relevant rules and standards</p> <p>Activity status where compliance not achieved with PER-1 to PER-4: Discretionary</p>

	<p>1. Ashbury Park: 50 residential units or 100 residents 2. Sir Basil Park: 50 residential units or 100 residents 3. Russell Square: 30 residential units or 60 residents; and</p> <p>PER-4 A management plan has been submitted to Timaru District Council for acceptance. The management plan should include information in relation to:</p> <ol style="list-style-type: none"> 1. the duration of the village; 2. the management of waste, stormwater and fire hazards; 3. the remediation work required to restore the site to previous state; and <p>PER-5 It complies with the height in relation to boundary and setback rules of the underlying zone.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>This activity is not required to comply with SW — Stormwater management chapter.</i> 2. <i>This activity is not required to comply with SASM — Sites and Areas of Significance to Māori chapter.</i> 	
TEMP-R6	Temporary motorsport events	
<p>1. General Rural Zone</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The <u>temporary motorsport</u>²⁵ event does not last more than two <u>three</u>²⁶ days in duration; and</p> <p>RDIS - 2 The site is not used for more than two <u>temporary M motorsport E events</u> per calendar year; and²⁷</p> <p>RDIS-3 The hours of operation are limited to daylight hours only; and²⁸</p>	<p>Activity status where compliance not achieved with: Discretionary</p>

²⁵ Clause 16(2) Amendment

²⁶ SCCC [135.1]

²⁷ Clause 16(2) Amendment

²⁸ SCCC [135.1]

	<p>RDIS-4 Any building and/or structure associated with the activity is not erected more than two days prior to the event commencing and is removed within two days after completion of the event; and</p> <p>RDIS-5 No permanent excavation occurs. If any earthworks occur in preparation for the event, such as the forming of tracks and structures, such earthworks must be rehabilitated to its original condition after the completion of the event.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. scale and duration; and 2. traffic safety; and 3. dust and sediment control; and 4. ground stability; and 5. rehabilitation methods and timing. <p>Note:</p> <ol style="list-style-type: none"> 1. The activity must comply with NOISE-R1 and EW-R1.²⁹ 2. <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an appropriate traffic management plan to avoid traffic safety hazards being generated from the activity.</i> 	
<p>2. All other zones</p>	<p>Activity status: Non-complying</p>	<p>Activity status where compliance not achieved: Not applicable</p>

²⁹ Clause 16(2) Amendment

Part 1 – HPW – How the Plan Works – Statutory Context

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Other Planning Documents and Legislation Considered

The Council is required by sections 74(2) and 74(2A) of the RMA to have regard to other relevant planning documents or management plans. In preparing the Plan, the Council have had regard to the following:

- New Zealand Heritage List Rarangi Korero;
- Building Act 2004;
- Local Government Act 2002;
- Heritage New Zealand Pouhere Taonga Act 2014;
- Hazardous Substances and New Organisms (HSNO) Act 1996;
- Health and Safety in Employment Act 1992;
- Reserves Act 1997;
- Conservation Act 1987;
- National Parks Act 1980;
- Land Transport Management Act 2003;
- Land Transport Act 1998;
- Fire Service Act 1975;
- Health Act 1956;
- Civil Defence Emergency Management Act 2002;
- Local Government and Official Information and Meetings Act 1987;
- Timaru District Long Term Plan;
- Timaru Growth Management Strategy;
- Timaru District Stormwater Strategy 2018-2048;
- Infrastructure Strategy 2018-2068;
- Timaru District Council Consolidated Bylaw 2018;
- Timaru District Parks Strategy;
- Timaru District Off-road Walking and Biking Strategy;
- Ashburton District Plan;
- Mackenzie District Plan;
- Waimate District Plan;
- Fisheries (Declaration of Waitarakao Mātaitai Reserve) Notice 2014 and Fisheries (Declaration of Opihi Mātaitai Reserve) Notice 2014.

Freedom camping, as defined in Section 5 of the Freedom Camping Act 2011, is not managed by the District Plan and is managed by the Freedom Camping Act 2011.³⁰

³⁰ NZMCA [134.1, 134.2 and 134.6]

Definitions

Emergency Services Training Activity

Means a temporary activity undertaken for training purposes by emergency services, including but not limited to, Fire and Emergency New Zealand, the New Zealand Police, St John/Hato Hone and Civil Defence.³¹

Temporary Event

Means a type of temporary activity that is a planned public or social occasion and includes carnivals, fairs, markets, auctions, displays, rallies, shows, commercial filming or video production, gymkhanas (equestrian), dog trails, concert, and other recreational sporting activities, public meetings, and hui, ~~and emergency services training events,~~ but excludes motorsport events.³²

³¹ FENZ [131.4]

³² FENZ [131.5]
