

3 PEOPLE'S HEALTH, SAFETY AND VALUES

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TEMPORARY ACTIVITIES

Policy B3.4.40

Provide for temporary activities associated with community-based as well as non commercial events or those that are necessary for construction purposes, provided associated short term adverse effects on the environment are appropriately managed.

Explanation and Reasons

Policy B3.4.40 provides for a range of temporary activities most of which are encompassed within the Plan definition. These activities include construction activities to recognise the necessary effects associated with these activities during the temporary construction of buildings and structures. They also include a range of other activities which are primarily focussed on community related activities rather than temporary commercial or retail activities. There are benefits to the District from allowing temporary community activities within the Plan frequency limits and typically the positive community effects of these activities outweigh any temporary adverse effects which are managed through the limits imposed.

Methods

District Plan Rules

- Township Volume, Part C – Living and Business Zones - Activities

District Plan Policies

- Township Volume, Quality of the Environment - B3.4

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QUALITY OF THE ENVIRONMENT — ANTICIPATED ENVIRONMENTAL RESULTS

The following environmental results should occur from implementing Section B3.4:

- Townships develop with zones of distinctive character.
- Living zones maintain a quality of the environment and amenity values compatible with residential areas.
- Most new residential activities occur in Living zones, with some higher density living areas in Business 1 Zones.
- Any new residential activities in Business 2, 2A and 2B Zones or the Business 3 Zone are ancillary to other activities in the zone.
- Increases in the variety of small scale businesses and other non-residential activities in Living zones.
- Business 1 Zones have more variety in activities and associated infrastructure.
- Business 1 Zones are attractive places for people to visit, work in or reside in.
- Lower standards of aesthetic and amenity values are maintained in Business 2, 2A and 2B Zones.
- The Business 3 Zone remains dominated by specialist research, education and associated activities.
- No increase in 'reverse sensitivity' issues in townships.
- Occasional short term effects associated with temporary activities with a level of adverse effects appropriate to the surrounding environment.

QUALITY OF THE ENVIRONMENT — MONITORING

Please refer to Part E, Appendix 1.

7 LIVING ZONE RULES – OUTDOOR SIGNS AND NOTICEBOARDS

7.1 OUTDOOR SIGNS – GENERAL

Permitted Activities – Outdoor Signs – General

- 7.1.1 Where any sign is not covered by Rules 7.2, 7.3 and 7.4, it shall be a permitted activity if the following conditions are met:
- 7.1.1.1 The sign relates to products or services sold on the site or includes information about the site on which it is located.
 - 7.1.1.2 The total number of signs on any site does not exceed 2, inclusive of any freestanding sign located on a footpath or grass berm outside the site but adjoining the site. This rule does not apply to signs associated with service stations or shops; and
 - 7.1.1.3 The sign does not have flashing or revolving lights, sound effects, balloons or blimps, and
 - 7.1.1.4 The sign does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, bend or corner, and
 - 7.1.1.5 The sign does not exceed the height of:
 - (a) The building to which it is attached, or
 - (b) 2 metres if the sign is not attached to a building, and
 - 7.1.1.6 The sign does not exceed 1m² in size, and
 - 7.1.1.7 The sign is not of a colour or design which resembles a traffic sign or signal.
 - 7.1.1.8 The sign is not less than 2.5m above the ground, if it is an overhanging attached sign.
 - 7.1.1.9 The sign complies with the relevant rules for building size, design or siting if it is attached to a building.

Notes

1. Rule 7.1.1.1 does not apply to any temporary sign or freestanding sign.

2. Rule 7.1.1 does not apply to any temporary election sign that complies with the Electoral (Advertisements of a Specified Kind) Regulations 2005.

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7.5 OUTDOOR SIGNS AND STRATEGIC ROADS

Permitted Activities — Outdoor Signs and Strategic Roads

- 7.5.1 Any sign on any land adjoining a road listed in Appendix 7 as a Strategic Road where the speed limit is 70km/hr or greater shall be a permitted activity if Rules 7.1 to 7.4 inclusive and all of the following conditions are met:
- 7.5.1.1 It is to be located on the site to which it relates;
 - 7.5.1.2 There shall be only one advertising sign directed at the Strategic Road;
 - 7.5.1.3 It is to have a minimum lettering height of 160mm;
 - 7.5.1.4 It shall not have more than six words or symbols and no more than 40 characters;
 - 7.5.1.5 It is to be located so as to provide an unrestricted view to the motorist for a minimum distance of 180 m;
 - 7.5.1.6 Any sign is illuminated only when the premises is open for business; and
 - 7.5.1.7 The sign is positioned at right angles to the frontage roadway but angled off the direction of traffic by 5°.

Notes

1. If the conditions in Rule 7.5 conflict with those in Rules 7.1, 7.2., 7.3 and 7.4 then the conditions in Rule 7.5. take precedence.
2. Rules 7.1. to 7.4. also apply to signs on Strategic Roads.
- 3. Rule 7.5.1 does not apply to any temporary election sign that complies with the Electoral (Advertisements of a Specified Kind) Regulations 2005.**

10 LIVING ZONE RULES – ACTIVITIES

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10.8 ACTIVITIES AND LIGHT SPILL

Permitted Activities – Activities and Light Spill

10.8.1 The following activities shall be permitted activities:

- 10.8.1.1 Any fixed, exterior lighting if it is directed away from adjacent properties and roads.
- 10.8.1.2 Any lighting if it does not have a lux spill (horizontal or vertical) of more than 3 on to any part of any adjoining properties.

Discretionary Activities – Activities and Light Spill

10.8.2 Any activity which does not comply with Rules 10.8.1 shall be a discretionary activity.

10.9 ACTIVITIES AND SCALE OF ACTIVITIES

Permitted Activities – Activities and Scale of Activities

10.9.1 Any activity, which is not a residential activity, shall be a permitted activity if the following conditions are met:

10.9.1.1 Permanent Activities

- (a) No more than two full time equivalent staff employed on the site live off site, and
- (b) The gross floor area of any building(s) other than a dwelling does not exceed 300m², or in the case of any building used for spiritual activities does not exceed 500m², and
- (c) Vehicle movements do not exceed:
 - State Highways, Arterial Roads and Collector Roads: 40 per day plus 4 heavy vehicle movements per day
 - Local Roads: 20 per day plus 2 heavy vehicle movements per day.

Note:

Rule 10.9.1.1 does not apply to existing schools and Police stations.

Subclause (c) of Rule 10.9.1.1 shall not apply to emergency service vehicles.

10.9.1.2 Temporary Activities

- (a) The activity does not last for a period longer than 15 hours in any one time and occurs no more than once every 24 hours ~~and occurs on no more than 12 times in any 12 month period, or~~
- (b) The activity does not last longer than a total of 7 consecutive days in any one time and occurs on no more than 3 times in any 12 month period.
- (c) Where any temporary activity exceeds the maximum number of vehicle movements permitted under 10.9.1.1(c) and a Traffic Management Plan is submitted to Council at least 5 working days prior to the activity commencing and approved by Council prior to the activity commencing.

Discretionary Activities – Activities and Scale of Activities

10.9.2 Any activity which is not a residential activity, and which does not comply with Rule 10.9.1 shall be a discretionary activity.

Note:

1. Rule 10.9.1.2 exempts temporary activities from complying only with Rule 10.9.1.1, not from complying with any other rules in the District Plan.
2. Guidance for the preparation of Traffic Management Plans can be found in New Zealand Transport Agencies Code of Practice for Temporary Traffic Management (COPTTM).

10.10 ACTIVITIES AND HOURS OF OPERATION

Permitted Activities – Activities and Hours of Operation

10.10.1 Any activity, which is not a residential activity, shall be a permitted activity if the following conditions are met:

10.10.1.1 The employment of staff who are not resident on the site; and

10.10.1.2 Visits by customers, patrons, clients or other people to the site, who are not resident on the site shall only occur between the hours of 7:00am and 10:00pm on any day.

Note: Rule 10.10.1 does not apply to spiritual and educational activities.

Discretionary Activities – Activities and Hours of Operation

10.10.2 Any activity which is not a residential activity, and which does not comply with Rule 10.10.1 shall be a discretionary activity.

Reasons for Rules

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Scale of Activities and Hours of Operation

Rules 10.9 and 10.10 ensure non-residential activities in Living zones operate at a scale and in a way which are compatible with residential activities. The rules set maximum limits for permitted activities. Activities which do not comply with the rules may still be able to occur in Living zones, through a resource consent for a discretionary activity, if the effects are compatible with residential areas and consistency is achieved with the relevant objectives and policies of the Plan

The numbers listed in Rules 10.9 and 10.10 are not ‘magic’ numbers. Rather, they are based on the scale and nature of effects normally associated with households and residential activities.

The rules do not apply to residential activities. Residential activities are an integral part of Living zones so, by nature, are compatible with the amenity values of residential areas or Living zones. It is not the consent authority’s intention, for example, to require people to obtain a resource consent for a party generating more than 20 (Local Road) or 40 (Arterial Road) vehicle movements over the course of an evening, beyond 10.00 pm. Special provisions and exemptions have been made for **Temporary Activities**, spiritual activities, Police stations and educational activities, including schools, recognising the reality in size of buildings associated with such activities, their role within the community and the times of the days they can be utilised.

19 BUSINESS ZONE RULES — OUTDOOR SIGNS AND NOTICEBOARDS

19.1 OUTDOOR SIGNS GENERAL

Permitted Activities — Outdoor Signs General

19.1.1 Any sign shall be a permitted activity if the following conditions are met:

- 19.1.1.1 The sign is erected on the site to which it relates, exclusive of a freestanding sign located on a footpath or grass berm outside the site but adjoining the site; and
- 19.1.1.2 The sign does not have any flashing or revolving lights, sound effects, balloons or blimps; and
- 19.1.1.3 If a sign is illuminated, any light spill from the sign on to any road or any other site complies with the requirements in Rule 22.5 – Activities and Light Spill; and
- 19.1.1.4 The sign does not obstruct or impair the view for any motorist or pedestrian of any traffic signal, intersection, vehicle crossing, road bend or corner; and
- 19.1.1.5 The sign does not exceed the height of:
 - (a) The building or structure to which it is attached, or
 - (b) 6 metres, in the Business 1 and 2 zones, and 8 metres in the Business 3 Zones, if the sign is not attached to a building; and
- 19.1.1.6 (a) The sign does not exceed 3m² in area where it is not attached to a building; and
(b) In the Business 1 zone, the total freestanding signage per site does not exceed 3m² where the site's road frontage is less than 50m, or 6m² otherwise; and
- 19.1.1.7 The sign is not of a colour or design that resembles a traffic sign or signal; and
- 19.1.1.8 Any sign overhanging a public footpath or road berm has a minimum height of 2.5m above the ground or footpath level; and
- 19.1.1.9 The sign does not protrude beyond the edge of a building if it is attached to a building.
- 19.1.1.10 In the Business 1 zone, signage does not occupy more than 25% of any building elevation if it is attached to or painted on or otherwise provided on the elevation.

Note:

1. Rule 19.1.1 also applies to signs adjoining Strategic Roads. For the purpose of calculating the area of signs painted on a building, the area of the sign is that enclosed by a line drawn around the perimeter of the sign lettering and associated artwork.

- 2. Rule 19.1.1 does not apply to any temporary election sign that complies with the Electoral (Advertisements of a Specified Kind) Regulations 2005.**

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19.2 OUTDOOR SIGNS AND STRATEGIC ROADS

Permitted Activities — Outdoor Signs and Strategic Roads

- 19.2.1 Any sign on any land adjoining a road listed in Appendix 7 as a Strategic Road where the speed limit is 70km/hr or greater shall be a permitted activity if all of the following conditions are met:
- 19.2.1.1 It is to be located on the site to which it relates;
 - 19.2.1.2 There shall be only one advertising sign directed at the Strategic Road;
 - 19.2.1.3 It is to have a minimum lettering height of 160mm;
 - 19.2.1.4 It shall not have more than six words or symbols and no more than 40 characters;
 - 19.2.1.5 It is to be located so as to provide an unrestricted view to the motorist for a minimum distance of 180m;
 - 19.2.1.6 Any sign is illuminated only when the premises is open for business; and
 - 19.2.1.7 The sign is positioned at right angles to the frontage roadway but angled off the direction of traffic by 5°.

Note:

- 1. Rule 19.2.1 does not apply to any temporary election sign that complies with the Electoral (Advertisements of a Specified Kind) Regulations 2005.**

DEFINITIONS

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Neighbourhood Centre: is a grouping of principally convenience stores (in the order of 6-15 stores) predominantly servicing the local communities weekly and day-to-day retail requirements.

Net Density: is the number of lots of household units per hectare (whichever is the greater). The area (ha) includes land for:

- Residential purposes, including all open space and on-site parking associated with residential development;
- Local roads and roading corridors, including pedestrian and cycle ways, but excluding State Highways and major arterial roads;
- Local (neighbourhood) reserves.

The area (ha) that excludes land that is:

- Stormwater retention and treatment areas;
- Geotechnically constrained (such as land subject to subsidence or inundation);
- Set aside to protect significant ecological, cultural, heritage, or landscape values;
- Set aside for esplanade reserves or access strips that form part of a larger regional or subregional reserve network;
- For local community services and retail facilities, or for schools, hospitals or other district, regional or sub-regional facilities.

Network Infrastructure: has the same meaning as in section 197 of the Local Government Act 2002.

Noise Limit: means a L10, Leq or Lmax sound level in A-frequency-weighted decibels that is not to be exceeded during a measurement sample time in a specific time-frame. See NZS 6801:1999 Acoustics – Measurement of Environmental Sound and the 'Noise Measurement and Assessment' section within Part C - Introduction to Rules.

Noise Sensitive Activities:

- Residential activities other than those in conjunction with rural activities that comply with the rules in the plan;
- Educational activities including pre-school places or premises;
- Travellers' accommodation except that which is designed, constructed and operated to a standard that mitigates the effects of noise on occupants;
- Hospitals, healthcare facilities and elderly persons housing or complex.

Noticeboard: means a structure or device upon which notices can be placed or attached that are of community interest, which are intended to be read by people stopping at the noticeboard rather than by people passing by.

Notional Boundary: means a line 20m from any side of a rural dwelling or the legal boundary where this is closer to the dwelling.

NZTA: the New Zealand Transport Agency

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Telecommunication Facility: means any telecommunication line, telephone exchange, telephone booth, telephone cabinet or pay phone, or any other structure, facility or apparatus intended for the purpose of effecting telecommunication.

Telecommunication Line: means a wire or wires or a conductor of any other kind (including a fibre optic cable) used or intended to be used for the transmission or reception of signs, signals, impulses, writing, images, sounds, or intelligence of any nature by means of any electromagnetic system; and includes any pole, insulator, casing, fixture, tunnel or other equipment or material used or intended to be used for supporting, enclosing, surrounding, or protecting any such wire or conductor and also includes any part of a line.

Temporary Accommodation: includes the use of any building to house any person for residential or business activities on a site, while construction work is being undertaken on the site. Temporary accommodation may be provided for persons occupying the site on which construction work occurs, or for persons involved in the construction work.

Temporary Activity: ~~includes any activity which occurs on any site for a period of not more than 15 consecutive hours in any one time and occurs on no more than 12 times in any 12 month period; or any activity which does not last longer than a total of 7 consecutive days in any one time and occurs on not more than 3 times at any one site in any 12 month period.~~

(including any associated buildings) includes:

- Buildings, structures and activities ancillary to a construction project for a period of up to 12 months or the duration of the construction project, whichever is the lesser.
- Sporting events, educational activities, public meetings, private functions, galas, shows, field days, displays, markets, garage sales, festivals, concerts; and non commercial activities/events; provided that for they do not occur:
 - on any site for a period of not more than 15 consecutive hours in any 24 hour period and no more than once per month; or
 - on any site for a period which does not last longer than a total of 7 consecutive days at any one time and occurs on not more than 3 times at any one site in any 12 month period.

Temporary Military Training Activity: means a temporary activity undertaken for Defence Purposes. Defence purposes are those in accordance with the Defence Act 1990.

Temporary Sign: includes any sign erected to advertise an upcoming event of interest to the community, or any sign which advertises the products or services of a business or organisation which is associated with an activity on these sites on which the sign is erected. Any temporary sign shall not be erected on any site for more than 6 consecutive calendar months at any one time, or for a collective period of more than 6 calendar months in any 2 year period, except that

for any school or church anniversary event the temporary sign may be displayed for up to 12 months prior to the event.

Tertiary Education: means the use of land and buildings for the purpose of facilitating tertiary education, training, development and instruction and/or related research and laboratories; and includes ancillary and accessory administrative, cultural, commercial, communal, conferencing, accommodation, retail and recreational facilities.

Township: means an urban area within the District that comprise a Living zone(s) and in some situations a Business zone(s).

Tree: any woody perennial plant, typically with a distinct trunk (but sometimes multi-stemmed) from which branches arise well above ground level to form a crown, and includes other plants of a tree-like size and form such as palms.