

THIS SECTION HAS RULES THAT HAVE LEGAL EFFECT. PLEASE CHECK THE EPLAN TO SEE WHAT THE LEGAL EFFECT IS OR SUBJECT TO APPEAL.

## TEMP - Ngā mahi taupua - Temporary Activities

### Introduction

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

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

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

### Other potentially relevant District Plan provisions

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

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

<sup>1</sup> Clause 16(2). TEMP Reply Report.

<sup>2</sup> Transpower [195.110]. TEMP Reply Report.

<sup>3</sup> Clause 16(2). TEMP Reply Report.

- The General Residential Zone and the Rural Lifestyle Zone chapters contain rules for [land use activities on](#)<sup>4</sup> the Oxford and Rangiora A&P Showgrounds respectively. [Temporary activities on these showground sites not provided for by the relevant zone rule may be subject to any applicable rules in the Temporary Activities chapter.](#)<sup>5</sup>
- Any other District wide matter that may affect or relate to the site.
- Zones: the zone chapters contain provisions about what activities are anticipated to occur in the zones.

<b>Objectives</b>	
<b>TEMP-O1</b>	<b>Temporary activities</b> Temporary activities that contribute to the District's vitality, economic prosperity, and community health, safety and well-being are enabled where adverse effects are minimised.
<b>Policies</b>	
<b>TEMP-P1</b>	<b>Enabling temporary activities</b> Enable temporary activities, and minimise adverse effects on the natural values, cultural values and amenity values of the surrounding environment, by ensuring: <ol style="list-style-type: none"> <li>1. the location, timing, duration, frequency, scale and intensity of the temporary activity is consistent with the quality of the environment anticipated by the objectives and policies of any relevant zone or overlay;</li> <li>2. adverse effects including noise, dust, light, shading, signs and traffic on any nearby activity are minimised to a level suitable for the time and location;</li> <li>3. any traffic movements maintain safety for road users, pedestrians, cyclists and the public, and the efficiency of the transport system;</li> <li>4. any natural, historic heritage or cultural values are protected from damage or destruction; and</li> <li>5. remediation of the site, including the removal of waste is undertaken.</li> </ol>
<b>TEMP-P2</b>	<b>Temporary activities and public spaces</b> For public spaces: <ol style="list-style-type: none"> <li>1. enable temporary activities, such as events, artworks, filming and mobile trading that support community and economic well-being within the District; and</li> <li>2. control adverse effects from temporary activities located in public spaces where the activities are not managed by other legislation, management plans or bylaws.</li> </ol>
<b>TEMP-P3</b>	<b>Temporary structures</b> Enable temporary structures required for construction or demolition, and temporary storage of relocatable buildings where potential effects on the transport system, and amenity values of the surrounding environment are mitigated by limiting the duration, and in the case of any relocatable building, the location and connection to services.
<b>TEMP-P4</b>	<b>Disaster management accommodation</b> Enable temporary disaster management accommodation provided by civil defence or an emergency service organisation required to house people displaced by a disaster event, including in the time period before declaring a state of emergency.
<b>TEMP-P5</b>	<b>Mobile trading</b> Enable mobile trading where adverse effects on retail distribution and development within any Commercial and Mixed Use Zones, amenity values, and transport are minimised by controlling the location, duration and scale of mobile trading activities.

<sup>4</sup> Clause 16(2). TEMP Reply Report.

<sup>5</sup> Clause 16(2). TEMP Reply Report.

<b>TEMP-P6<sup>6</sup></b>	<p><b><u>Temporary Military Training Activity</u></b></p> <p><u>Enable temporary military training activity and associated temporary structures and earthworks where potential adverse effects on amenity values and sensitive environments are remedied or mitigated by:</u></p> <ol style="list-style-type: none"> <li><u>1. limiting their duration; and</u></li> <li><u>2. ensuring restoration of the site is consistent with the quality of the environment anticipated by the objectives and policies of any relevant zone or overlay.</u></li> </ol>
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## Activity Rules

<b>TEMP-R1</b>	<b>Mobile trading ancillary to a temporary activity</b>	
<b>All Zones</b>	<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
<b>TEMP-R2</b>	<b>Mobile trading</b>	
	<i>This rule does not apply to mobile trading provided for under TEMP-R1 and TEMP-R3.</i>	
<b>All Zones</b>	<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. mobile trading operates from the same site for a maximum cumulative period of eight hours in any 24 hour period;</li> <li>2. mobile trading operates a maximum of nine times from any site within a 12 month period;</li> <li>3. mobile trading operations are located a minimum of 3m from any internal boundary; and</li> <li>4. mobile trading shall comply with Table NOISE-2.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> TEMP-MD1 - Character and amenity values TEMP-MD2 - Transport TEMP-MD3 - Site alteration, disturbance and remediation TEMP-MD4 - Public safety and security
<b>TEMP-R3</b>	<b>Mobile trading on public land</b>	
<b>All Zones</b>	<b>Activity status: PER</b>	<b>Activity status when compliance not achieved: N/A</b>
	<b>Advisory Note</b> <ul style="list-style-type: none"> <li>• A Mobile Trading Licence may be required for the occupation of public spaces.</li> </ul>	
<b>TEMP-R4</b>	<b>Filming</b>	
<b>All Zones</b>	<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. the maximum duration of the activity is 31 consecutive days at any one site within a 12 month period;</li> <li>2. site preparation is a maximum of</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> TEMP-MD1 - Character and amenity values TEMP-MD2 - Transport

<sup>6</sup> NZDF [166.23] and [166.24]. TEMP Reply Report.

	<p>seven days before the activity;</p> <p>3. site restoration is a maximum of seven days following the completion of the activity;</p> <p>4. all temporary structures and equipment is removed from the site within seven days following completion of the activity; and</p> <p>5. there is a total maximum of 250 vehicle movements per day.</p>	<p>TEMP-MD3 - Site alteration, disturbance and remediation</p> <p>TEMP-MD4 - Public safety and security</p>
<b>TEMP-R5</b>	<b>Temporary military training activity <u>including ancillary buildings and structures</u><sup>7</sup> and <u>emergency service training activity</u><sup>8</sup></b>	
<b>All Zones</b>	<p><b>Activity status: PER</b> Where:</p> <p>1. the maximum duration of the activity is 31 consecutive days at any one site; <u>excluding the set-up and pack-down of the activity up to one week prior to commencement and up to one week following completion</u><sup>9</sup>; and</p> <p><del>2. the activity is not located in any SNA;</del><sup>10</sup></p> <p><del>3. 2</del> the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing, <u>unless otherwise permitted by the Plan</u><sup>11</sup>.</p>	<p><b>Activity status when compliance with TEMP-R5 (1) not achieved: CON</b> <b>Activity status when compliance with TEMP-R5 (2) or (3) not achieved: RDIS</b> <b>Matters of control or discretion are restricted to:</b></p> <p>TEMP-MD1 - Character and amenity values</p> <p>TEMP-MD2 - Transport</p> <p>TEMP-MD3 - Site alteration, disturbance and remediation</p> <p>TEMP-MD4 - Public safety and security</p>
<b>TEMP-R6</b>	<b>Temporary storage of a <u>building or</u><sup>12</sup> relocatable building</b>	
<p><b>General Rural Zone</b></p> <p><b>Rural Lifestyle Zone</b></p> <p><b><u>Residential Zones</u></b><sup>13</sup></p> <p><b><u>Open Space and Recreation</u></b></p>	<p><b>Activity status: PER</b> Where:</p> <p>1. the building <u>or relocatable building</u><sup>10</sup> is temporarily being stored prior to <u>permanent siting on site or</u><sup>14</sup> transfer to another site;</p> <p>2. a maximum of one <u>building or</u><sup>10</sup> relocatable building is stored on-site for a maximum of six</p>	<p><b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b></p> <p>TEMP-MD1 - Character and amenity values</p> <p>TEMP-MD2 - Transport</p> <p>TEMP-MD3 - Site alteration, disturbance and remediation</p> <p>TEMP-MD4 - Public safety and security</p>

<sup>7</sup> NZDF [166.25]. TEMP Reply Report.

<sup>8</sup> FENZ [303.49]. TEMP Reply Report.

<sup>9</sup> Waka Kotahi [FS110]. TEMP Reply Report.

<sup>10</sup> NZDF [166.25]. TEMP Reply Report.

<sup>11</sup> NZDF [166.25]. TEMP Reply Report.

<sup>12</sup> House Movers [221.1, 221.2 and 221.3]. TEMP Reply Report.

<sup>13</sup> House Movers [221.1]. TEMP Reply Report.

<sup>14</sup> House Movers [221.2]. TEMP Reply Report.

<p><b>Zones</b><sup>11</sup></p> <p><b>Commercial and Mixed Use Zones</b><sup>11</sup></p> <p><b>Industrial Zones</b><sup>11</sup></p>	<p>months within any 24 month period <del>and</del>;</p> <p>3. during the storage period, the <b>building or</b><sup>10</sup> relocatable building is not connected to any water, wastewater, or electricity supply, and is not be fixed to the ground; and</p> <p>4. the <b>building or</b><sup>10</sup> relocatable building meets the setback, building coverage and height rules for the zone in which the site is located.</p>	
<p><b>Advisory Note</b></p> <ul style="list-style-type: none"> <li>• Building consent may be required.</li> </ul>		
<p><b>TEMP-R7 Any temporary building or structure incidental to construction work</b></p>		
<p><b>All Zones</b></p>	<p><b>Activity status: PER</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. every temporary building or structure is removed from the site within 31 days of completion of the building or construction works or after the Code of Compliance Certificate for the subject building or construction works has been issued, whichever occurs first.</li> </ol>	<p><b>Activity status when compliance not achieved: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>TEMP-MD1 - Character and amenity values</li> <li>TEMP-MD2 - Transport</li> <li>TEMP-MD3 - Site alteration, disturbance and remediation</li> <li>TEMP-MD4 - Public safety and security</li> </ul>
<p><b>TEMP-R8 Disaster management accommodation</b></p>		
<p><b>All Zones</b></p>	<p><b>Activity status: PER</b></p> <p>Where:</p> <ol style="list-style-type: none"> <li>1. the activity is required by the District Council or an emergency service, including when a state of emergency has not been declared; and</li> <li>2. the temporary use does not result in an existing activity on the site failing to comply, or increasing the degree of non-compliance of the existing activity, with a rule in the District Plan, or resource consent. This standard applies to any rules for the zone except for</li> </ol>	<p><b>Activity status when compliance not achieved: RDIS</b></p> <p><b>Matters of discretion are restricted to:</b></p> <ul style="list-style-type: none"> <li>TEMP-MD1 - Character and amenity values</li> <li>TEMP-MD2 - Transport</li> <li>TEMP-MD3 - Site alteration, disturbance and remediation</li> <li>TEMP-MD4 - Public safety and security</li> </ul>

	density rules.	
	<b>Advisory Note</b> <ul style="list-style-type: none"> <li>• The rules above apply to disaster management emergencies which may not be covered under other legislation.</li> <li>• Emergency powers under the Civil Defence Emergency Management Act 2002 apply once a state of emergency has been declared.</li> </ul>	
<b>TEMP-R9</b>	<b>Temporary activity</b>	
	<i>This rule does not apply to temporary activities provided for under TEMP-R1 to TEMP-R8.</i>	
<b>All Zones</b>	<b>Activity status: PER</b> Where: <ol style="list-style-type: none"> <li>1. there is a maximum duration of four consecutive days on any site plus a maximum of four consecutive days immediately prior to, and following, the activity for site preparation and restoration;</li> <li>2. a maximum of nine temporary activities are permitted for any site within a 12 month period with a minimum separation of 21 days between each temporary activity;</li> <li>3. the site is restored to the same condition as prior to the temporary activity within seven days of that activity ceasing;</li> <li>4. there is a total maximum of 250 vehicle movements per day for any temporary activity.</li> </ol>	<b>Activity status when compliance not achieved: RDIS</b> <b>Matters of discretion are restricted to:</b> <ul style="list-style-type: none"> <li>TEMP-MD1 - Character and amenity values</li> <li>TEMP-MD2 - Transport</li> <li>TEMP-MD3 - Site alteration, disturbance and remediation</li> <li>TEMP-MD4 - Public safety and security</li> </ul>
	<b>Exemption</b> TEMP-R9 (1), (2), and (4) do not apply to Temporary activities on public land or within a road reserve or any Open Space and Recreation Zones.	
	<b>Advisory Notes</b> <ul style="list-style-type: none"> <li>• Built Form Standards of the zone apply for permanent structures.</li> <li>• Building consent may be required for permanent, as well as temporary structures.</li> <li>• Notification should be provided to residents adjacent to any event involving electronic sound amplification or fireworks at least 48 hours before the event commences, including: <ul style="list-style-type: none"> <li>○ The nature of the event;</li> <li>○ The date, start and finish time, expected timing for sound testing or practice;</li> <li>○ Any alternative dates in the event of postponement; and</li> </ul> </li> </ul>	

	<ul style="list-style-type: none"> <li>○ Contact details of the event organiser.</li> <li>● Noise rules for temporary activities are contained in the Noise Chapter.</li> <li>● District Council approval is required for temporary road closure.</li> </ul>	
<b>TEMP-R10</b>	<b>Motorised vehicle events</b>	
Waimakariri River ONF Ashley River / Rakahuri SAL	<b>Activity status: RDIS</b> <b>Matters of discretion are restricted to:</b> NFL-MD2 - Motorised activities	<b>Activity status when compliance not achieved: N/A</b>
Ashley River / Rakahuri Saltwater Creek Estuary ONF	<b>Activity status: NC</b>	<b>Activity status when compliance not achieved: N/A</b>

## Advice Notes

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

provisions under s327 of the Resource Management Act 1991. The District Council's Environmental Services Unit or its contractors are responsible for responding to any noise complaints received.

## Matters of Discretion

<b>TEMP-MD1</b>	<p><b>Character and amenity values</b></p> <ol style="list-style-type: none"> <li>1. Suitability of the location.</li> <li>2. The contribution the temporary activity has to the vibrancy of the District and the physical, social, and cultural well-being of communities.</li> <li>3. Adverse effects on the character and quality of the environment, including natural character, water bodies, ecology, historic heritage and sites of significance to Māori.</li> <li>4. The existing character and amenity values of the zone in which it occurs, and the zone of the receiving environment.</li> <li>5. Potential adverse effects on the surrounding environment such as noise, dust, odour, signs, light spill and glare.</li> <li>6. Scale, intensity and character of the activity including attendance, building coverage, structures, duration, frequency and hours of operation.</li> <li>7. Cumulative effects of all activities, buildings, and signs using the proposed location.</li> <li>8. Building style and/or visual appearance of the temporary activity.</li> <li>9. The extent and effectiveness of mitigation such as screening.</li> <li>10. The extent to which the temporary activity will limit access to spaces that would otherwise be accessible.</li> <li>11. Any cross-boundary effects.</li> </ol>
<b>TEMP-MD2</b>	<p><b>Transport</b></p> <ol style="list-style-type: none"> <li>1. The effects on and off the transport system, at and beyond the site including, but not limited to:             <ol style="list-style-type: none"> <li>a. traffic generation from the activity and the efficiency of the transport system;</li> <li>b. number and type of vehicles accommodated;</li> <li>c. traffic and pedestrian safety, including visibility both on and off-site;</li> <li>d. land availability and suitability for parking, loading, and manoeuvring;</li> <li>e. any alternative means for provision of parking and loading; and</li> <li>f. any effects on the operation of emergency services.</li> </ol> </li> </ol>
<b>TEMP-MD3</b>	<p><b>Site alteration, disturbance and remediation</b></p> <ol style="list-style-type: none"> <li>1. The extent to which temporary activities alter or disturb any site, including from earthworks, and the extent of remediation including to any:             <ol style="list-style-type: none"> <li>a. land, including grassed areas, trees or other vegetation; and</li> <li>b. biodiversity, ecosystem or habitat.</li> </ol> </li> </ol>
<b>TEMP-MD4</b>	<p><b>Public safety and security</b></p> <ol style="list-style-type: none"> <li>1. The extent to which the proposal maximises personal safety and security, including:             <ol style="list-style-type: none"> <li>a. lighting, visibility and surveillance that is suitable to maintain a high level of public safety and security;</li> <li>b. ensuring effective access for emergency services is maintained;</li> <li>c. provision of contingency planning for emergency situations;</li> <li>d. provision of clear access routes, including safe movement of pedestrians within the site while avoiding concealment and isolation opportunities;</li> <li>e. entrances and exits, as well as services such as public toilets, that are clearly signposted and easily accessible;</li> <li>f. the extent to which any potential conflicts with other activities (on or off-site)</li> </ol> </li> </ol>



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	<p>are effectively avoided or minimised; and</p> <p>g. the extent that any off-site effects on personal safety and security are identified and managed.</p>
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