

Rule 3.5 Temporary Activities

Rule Statement

This rule provides for temporary buildings and activities that might not be otherwise provided for within this District Plan. The rule clarifies the status of temporary buildings, structures, tents etc which may be required for temporary activities or for construction purposes, and also the status of other temporary activities like fairs and concerts. It is intended to provide for these uses in a flexible manner while mitigating and remedying any adverse effects on the environment.

Expected Outcome

Reasonable allowance made for temporary and transitory activities without significant adverse effects on the environment.

Means of Compliance

The following rules shall be read in conjunction with the standards and performance assessments in the relevant zone, and all other rules in the plan.

The activity status and standards in this rule may be modified by Overlay Rules in [Rule Section 2.0](#).

The activity status of a Permitted or Controlled Activity may be altered from the activity list below where the activity cannot meet one or more of the standards in this rule. For clarification of activity status, see [Rule 3.5.4 – Failure to Meet Standards](#).

Regard must be had to all Objectives and Policies which may be relevant to any proposed activity subject to this Rule. This includes, but shall not be limited to, Policy Section 7.4 Noise.

3.5.1 Activities

a) Permitted Activities

The following activities are Permitted Activities provided they comply with the standards in [Rule 3.5.2](#) and the relevant standards in [Rule 3.5.3](#) and where they are not otherwise provided for as a Permitted or Controlled Activity under this District Plan. Where otherwise provided for as a Permitted or Controlled Activity, the other District Plan provisions shall apply to the exclusion of these provisions.

- Temporary Structures and Works accessory to a event
- Temporary Structures and Works; incidental to a construction project
- Events
- Temporary landing/takeoff points for helicopters.

3.5.2 General Standards

The following general standards apply to all Permitted Activities.

a) Temporary Structures and Works Accessory to an Event

- i) All structures and other works, shall be removed and the site returned to its original condition 5 working days after the activity has ceased.
- ii) All structures and works shall be setback from the boundary in accordance with the relevant setbacks for the zone in which they are located.

3.5.3 Specific Standards

The following standards apply to the activities specified below.

a) Structures and Storage Incidental to a Construction Project

- i) Where the structures and storage are incidental to a construction project, the construction project shall be for an activity permitted by the plan or for an activity which has an approved resource consent.
- ii) Where structures and storage are incidental to a construction project all facilities shall be removed 6 months after the end of the project or after 12 months, whichever is earlier.

All other relevant building standards for the zone in which they are located shall be complied with.

b) Events

The following specific standards apply to events, excluding events on the Waikato River (refer to Rule 3.4 Activities on the Surface of Water).

- i) The total duration of all events on the site (excluding preparation time) shall not exceed 48 hours in any calendar year.
- ii) Total number of persons attending the event at any one time shall not exceed 1,000.
- iii) Events shall take place within the following hours:

0700hr – 2230hr Sunday to Thursday

0700hr – 2400hr Friday and Saturday

c) Temporary Landing/Takeoff Points for Helicopters

- i) Temporary landing/takeoff points for a helicopter for emergency purposes is permitted without being subject to further controls.
- ii) Temporary landing/takeoff points for helicopters for construction work is permitted, as required, for the duration of the construction work.
- iii) Temporary landing/takeoff points for helicopters on a site for any other activity shall not exceed a total of 5 days in any twelve month period, with a maximum consecutive use of 48 hours duration.

3.5.4 Failure to Meet Standards

- a) Activities which do not comply with any performance standard in Rule 3.5.2 or Rules 3.5.3 a) or b) are **Discretionary Activities**.
- b) Activities which do not comply with Rule 3.5.3 c) are **Non-Complying Activities**.

Performance Assessment

In determining any resource consent, Council shall have regard to the expected outcome for this rule and the relevant underlying zone, to any related objectives and policies, and to the following.

3.5.5 Assessment Criteria – Discretionary Activities

Discretionary activities will be assessed against, but not limited to, the assessment criteria below.

- a) **Events**
 - i) The extent to which the proposed hours of operation for the event would detrimentally affect the amenity of surrounding areas.
 - ii) The extent to which an extension of the permitted duration of the event will have an adverse effect on the amenity of the surrounding area.
 - iii) Whether the scheduling of events and the time elapsed between them adequately avoids or mitigates possible cumulative adverse effects on the amenity of the surrounding area.
 - iv) The extent to which vehicular traffic and related parking generated by the activity is accommodated without loss of amenity, safety or causing traffic congestion.
 - v) The extent to which the siting of structures would result in adverse effects on adjoining properties.
- b) **Scale, Siting and Design of Facilities Incidental to a Construction Project.**
 - i) The extent to which the scale and design of any facilities is compatible with the amenity of the surrounding area.
 - ii) The extent to which the siting of any facility mitigates any adverse effect on the amenity of the surrounding area.
 - iii) The extent to which an extension of the permitted duration of any facilities will have an adverse effect on the amenity of the surrounding area.
 - iv) The extent to which any adverse amenity effect created by any facilities can be mitigated by landscaping and screening.

