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Change 60: Temporary Activities

Decisions and Reasons

Final Decision 608.1

C60.34.1	Hall, Peter	Allow
C60.34.2	Hall, Peter	Disallow
C60.806.35	NZ Transport Agency	Allow
C60.806.42	NZ Transport Agency	Allow
C60.806.45	NZ Transport Agency	Allow
C60.830.2	Fulton Hogan Ltd	Allow In Part
<i>Allow in Part</i>	FC60.806.22	
C60.830.9	Fulton Hogan Ltd	Allow
<i>Allow</i>	FC60.806.27	
C60.830.10	Fulton Hogan Ltd	Allow
<i>Allow</i>	FC60.806.28	
C60.1089.1	Nelson Forests Ltd	Disallow
<i>Disallow</i>	FC60.1196.5	
C60.1089.2	Nelson Forests Ltd	Disallow
<i>Disallow</i>	FC60.1196.6	
C60.1089.4	Nelson Forests Ltd	Disallow
C60.1089.26	Nelson Forests Ltd	Allow In Part
<i>Allow in Part</i>	FC60.4057.1	
C60.1089.27	Nelson Forests Ltd	Allow In Part
<i>Allow in Part</i>	FC60.4057.2	
C60.1089.28	Nelson Forests Ltd	Allow
<i>Allow</i>	FC60.4057.3	
C60.1089.29	Nelson Forests Ltd	Disallow
C60.1089.30	Nelson Forests Ltd	Allow In Part
C60.1196.3	Waimea Rural Fire Authority	Allow
<i>Allow</i>	FC60.4057.4	
C60.1196.4	Waimea Rural Fire Authority	Disallow
<i>Disallow</i>	FC60.1089.4	
C60.1196.5	Waimea Rural Fire Authority	Allow
<i>Allow</i>	FC60.1089.5	
C60.2864.58	Horticulture New Zealand	Allow
<i>Allow</i>	FC60.4011.12	
C60.3592.8	Golden Bay Community Board	Disallow
C60.3995.1	Blithe, Thora	Allow
C60.3995.2	Blithe, Thora	Allow
C60.4006.1	Cousins, John & Anstey, Colleen	Allow
C60.4006.2	Cousins, John & Anstey, Colleen	Disallow
C60.4023.1	Hancock Forest Management (NZ) Ltd	Disallow
<i>Disallow</i>	FC60.1196.9	
C60.4023.2	Hancock Forest Management (NZ) Ltd	Disallow
C60.4023.4	Hancock Forest Management (NZ) Ltd	Allow In Part
<i>Allow in Part</i>	FC60.1196.10	
C60.4023.23	Hancock Forest Management (NZ) Ltd	Allow In Part
<i>Allow in Part</i>	FC60.1196.13	
C60.4023.25	Hancock Forest Management (NZ) Ltd	Disallow
<i>Disallow</i>	FC60.1196.15	
C60.4023.26	Hancock Forest Management (NZ) Ltd	Disallow
<i>Disallow</i>	FC60.1196.16	
C60.4023.27	Hancock Forest Management (NZ) Ltd	Disallow
<i>Disallow</i>	FC60.1196.17	
C60.4026.1	Harwood, Marjory L	Allow In Part
C60.4027.3	Harwood, Shane	Allow In Part

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C60.4029.3	Hodgson, Antony	Allow
C60.4031.1	Jacobson, Julie	Disallow
<i>Allow</i>	FC60.4057.5	
C60.4034.24	Kebbell, John	Disallow
C60.4043.1	Lewis, Robert	Allow
C60.4043.2	Lewis, Robert	Disallow
C60.4046.6	McCarthy, Beth	Disallow
C60.4053.1	MudWood, Amira Mudfaery	Allow In Part
<i>Disallow</i>	FC60.1196.3	
C60.4053.2	MudWood, Amira Mudfaery	Allow In Part
<i>Disallow</i>	FC60.1196.4	
C60.4057.1	New Zealand Defence Force	Allow
C60.4057.4	New Zealand Defence Force	Allow In Part
C60.4057.5	New Zealand Defence Force	Allow In Part
C60.4057.6	New Zealand Defence Force	Allow In Part
C60.4057.7	New Zealand Defence Force	Allow In Part
C60.4061.3	Pearson, Debbie & Mark	Disallow
<i>Allow</i>	FC60.1196.1	
C60.4061.4	Pearson, Debbie & Mark	Allow In Part
<i>Disallow</i>	FC60.1196.2	
C60.4064.1	Pope, Jannine	Allow In Part
C60.4064.2	Pope, Jannine	Allow In Part
C60.4075.1	Smith, Shanti	Allow
C60.4075.2	Smith, Shanti	Allow In Part
C60.4087.1	Waters, Bronwyn	Allow
C60.4088.1	Waters, Mason	Allow
C60.4089.1	Waters, Peter	Allow

Plan Amendments**Topic : 2.2**

Delete definition of 'temporary activity' and replace with the following definition of 'event':

"Event - means any use of land or buildings that is of a non-repetitive, transient or intermittent nature of limited duration, and includes sporting events, galas, market days, carnivals, shows, festivals, concerts and similar events."

Topic : 16.1.6.1

Delete proposed changes to condition (b).

Topic : 16.8.2

Add the following new rule:

"16.8.2.1A Permitted Activities (Temporary Activities that are Construction, Maintenance, or Demolition Work)

Temporary activity that is construction, maintenance, or demolition work is a permitted activity if it complies with the following conditions:

(a) The activity meets the noise limits provided for in NZS6803:1999 Acoustics – Construction Noise."

Topic : 16.8.2.2

Amend Figure 16.8A as follows:

1. Amend figure title to read: "Noise and Fire Risk Controls."

2. Amend section 1.1 to insert the following words after the word "Council":

"and where the use of live ammunition or pyrotechnics is proposed to the Waimea Rural Fire Authority".

3. Amend introductory phrase of 1.2 to delete the word "noise".

4. Amend 1.2(c) by replacing the words "approved by" in the first paragraph with the words "provided to" and replacing the phrase "prior to the activities commencing" in the 4th bullet point, with the phrase "before the activities commence".

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5. Amend section 1.2 by adding a new condition after (c):

"(d) For temporary military training activities where the use of live ammunition or pyrotechnics is proposed, the activity is undertaken in accordance with a fire preparedness and management plan prepared by a suitably qualified expert and provided to the Waimea Rural Fire Authority and the adjacent landowners at least 15 working days before the activity commences. The fire preparedness and management plan shall as a minimum contain:

- A description of the site and activity, including times, dates, nature and location of the proposed training activities.
- An evacuation plan
- Provision for on-site fire equipment that will be in a complete state of readiness at all times."

Topic : 16.8.2.3

Insert an additional matter for control:

"(1B) Risk of wildfire"

Topic : 16.8.20

Insert the following words at the end of the last paragraph:

"The risk of fire from temporary military training activities which involve the use of live ammunition or pyrotechnics needs to be appropriately controlled within the District Plan."

Topic : Chapter 17

1. Delete conditions 17.5.2.1(p) and (q) and 17.6.2.1(p) and (q).
2. Insert conditions 17.5.2.1(o) and 17.6.2.1(o) as follows:
 "An event which is advertised for public admission meets the following conditions:
 (i) for any one site, the zone noise limits are exceeded for not more than two days within any 12-month period and this exceedance occurs only between the hours of 8:00 am and 6:00 pm;
 (ii) any temporary building or structure that is used is removed at the end of the event;
 (iii) where the event is to be located in the high fire risk area as shown on the planning maps and occurs between 1 October to 30 April, a fire preparedness plan is provided to the Waimea Rural Fire Authority for management under the Forest and Rural Fire Act 1977 and adjacent landowners 14 days before the activity commences, which provides sufficient detail to satisfy the purposes for which it is required and includes:
 (a) the location, time and duration of the event and the number of people expected to attend the event;
 (b) risk reduction measures including: briefing information for participants; management of spark hazardous activities (including smoking, lighting of fires and barbeques); length and dryness of grass; and a cancellation procedure for the event if the Build Up Index (BUI) of the nearest remote access weather station forecasts or has a BUI reading of 80 or more or a Fire Weather Index forecasts or reads 24 or higher;
 (c) fire readiness measures including water and equipment for firefighting; number of people on site trained in firefighting to New Zealand Qualifications Authority (NZQA) or New Zealand Fire Service Training and Progressive System (TAPS) module standards; location of safe site areas; an evacuation plan with a stay/go procedure and at least two escape routes to safe areas; a plan of how emergency services will access the site; an emergency notification process for organisers and attendees and a tested communication plan for phone or radio for communication with emergency services."
3. Amend note in rules 17.5.2.1 and 17.6.2.1 to: "Note: Other legislation or requirements relating to health, food safety, building and traffic management may need to be complied with."

Reasons

1. Deleting the proposed provisions that restrict the duration of temporary activities allows all manner of regular everyday temporary activities that cause no adverse effects to continue unrestricted unless limited by a Plan standard managing an identified adverse effect such as noise, dust or odour.

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2. Temporary events that are advertised for general public admission in the district will be a Permitted activity subject to limitations on duration and fire preparedness in high fire risk areas during the summer months for the reasons that:
 - (a) what constitutes appropriate fire preparedness will be clearly set out in the Permitted condition and thus clarify what is required;
 - (b) the relevant stakeholders, adjacent landowners and the WRFA will be forewarned of the event and WRFA will have the opportunity to manage the event as it considers appropriate in terms of its powers under the FRFA;
 - (c) staff consider the FRFA more appropriate legislation than the RMA to regulate the risk of wild fire;
 - (d) the necessity for a fire preparedness plan will be limited to high fire risk areas as shown on the TRMP planning maps between 1 October – 30 April only and this is proportionate to the risks;
 - (e) the option to consider the issue of fire risk and temporary activities once the draft Fire and Emergency Bill is finalised remains.
3. Better alignment of operative and proposed Plan provisions for temporary activities is expected to improved plan accuracy and legibility.