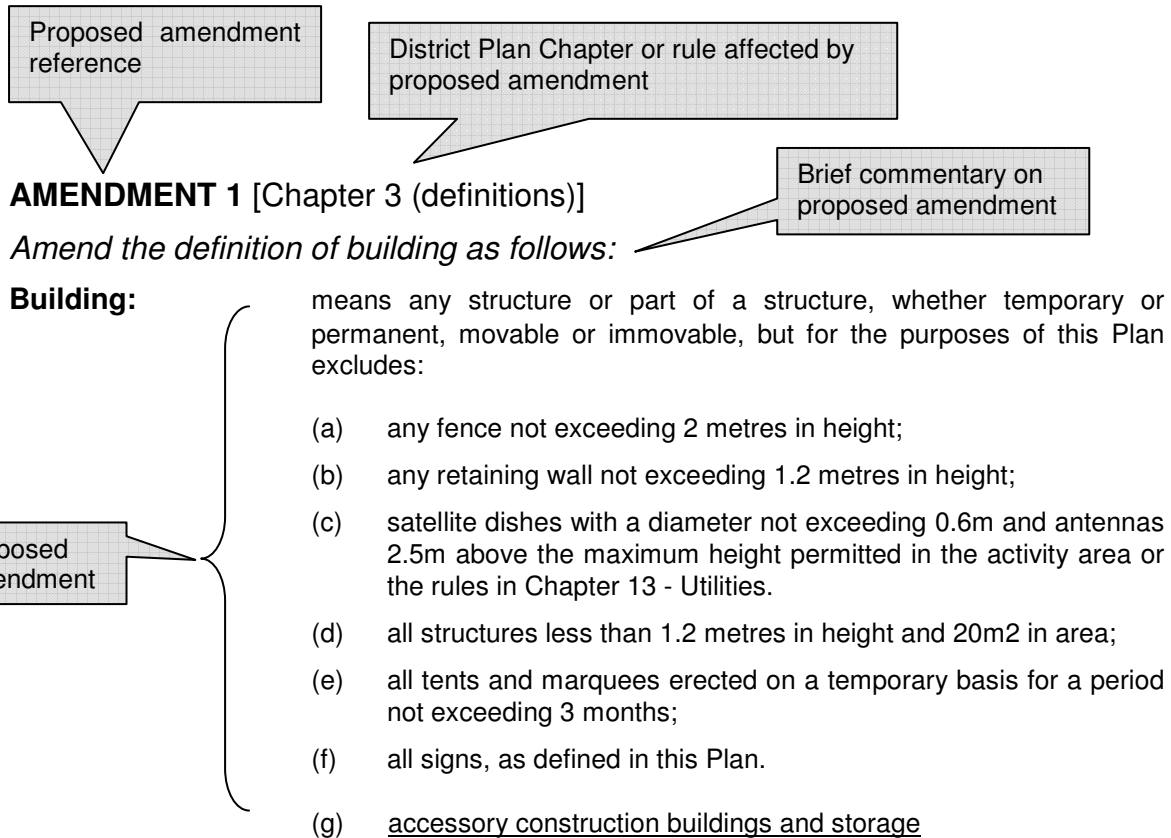

Part 3: Proposed Plan Change 13

Amendments to Chapters 3, 7A, 7C, 14A, 14J and 14K

A total of 11 amendments to the provisions of the District Plan are proposed. Each of these amendments is listed in the following format:



Any new text that is proposed to be added is underlined, while any text proposed to be deleted has been struck through.

Part 3A: Proposed Plan Change 13

Amendments to Chapter 3 (Definitions)

AMENDMENT 1 [Chapter 3 (definitions)]

Amend the definition of building as follows:

Building: means any structure or part of a structure, whether temporary or permanent, movable or immovable, but for the purposes of this Plan excludes:

- (a) any fence not exceeding 2 metres in height;
- (b) any retaining wall not exceeding 1.2 metres in height;
- (c) satellite dishes with a diameter not exceeding 0.6m and antennas 2.5m above the maximum height permitted in the activity area or the rules in Chapter 13 - Utilities.
- (d) all structures less than 1.2 metres in height and 20m² in area;
- (e) all tents and marquees erected on a temporary basis for a period not exceeding 3 months;
- (f) all signs, as defined in this Plan;
- (g) accessory construction buildings and storage.

AMENDMENT 2 [Chapter 3 (definitions)]

Add a new definition of accessory construction buildings and storage as follows:

Accessory construction buildings and storage:

Buildings or structures located temporarily on a site and used in association with construction or building works, such as a site office on a construction site, or used for storage, such as storage of goods during residential additions or when moving house.

AMENDMENT 3 [Chapter 3 (definitions)]

Add a new definition of temporary activity as follows:

Temporary Activity:

Is any activity provided (on a site or sites) of a temporary nature and duration and includes, but is not limited to, festivals, parades, concerts, fairs, markets, circus, carnivals, outdoor exhibitions and displays, cultural and sporting events, public meetings and gatherings and other community and special events and includes associated temporary buildings and structures but excludes recreation activities and emergency facilities and associated services and operations.

AMENDMENT 4 [Chapter 3 (definitions)]

Add a new definition of filming activity as follows:

Filming Activity:

Is the recording of images (whether on film or video tape or electronically or by other means) for exhibition or broadcast (such as by cinema, television or the Internet or by other means) and the temporary construction and use of structures, facilities, buildings and land associated with the filming activity, but does not include:

- (a) still photography;
- (b) recording images of a wedding ceremony or other private celebration or event principally for the purpose of making a record for the participants in the ceremony, event or celebration;
- (c) recording images as a visitor or tourist for non commercial purposes;
- (d) recording for the immediate purposes of a television program that provides information by way of current affairs or daily news.

Part 3B: Proposed Plan Change 13
Amendments to Chapters 7A (General Recreation), 7C (River Recreation) and 14A (Transport)

Amendment 5 [Chapter 7A (General Recreation Activity Area)]

Add a permitted activity to Rule 7A 2.1 as follows:

7A 2 Rules

7A 2.1 Permitted Activities

- (a) Recreation activities and ancillary activities.
- (b) Any farming activity in the Belmont Regional Park, including grazing, cropping, market gardens, orchards and nurseries, but excluding intensive farming.
- (c) At the Bracken Street Depot, Bracken Street, Petone, Section 979 Hutt District, SO 33425 -
 - (i) Plant propagation, and associated office functions and buildings.
 - (ii) The storage and maintenance of equipment for the purposes of maintaining parks and reserves.
- (d) Landscape furniture.
- (e) Works necessary for the management of any reserve, river or stream by the Wellington Regional Council or Hutt City Council.

Amendment 6 [Chapter 7A (General Recreation Activity Area)]

Amend Rule 7A 2.1.1 (f) to exclude temporary activities as the hours of operation for temporary activities have an earlier finish time of 11pm on Fridays and Saturdays.

7A 2.1.1 Permitted Activities – Conditions

(f) Hours of Operation:

All organised activities must operate between the hours of 7.00am and 10.00pm, from Monday to Thursday inclusive and Sunday; and between 7.00am and 12 midnight on Fridays and Saturdays. This provision does not apply to temporary activities and filming activities and to overnight stays.

Amendment 7 [Chapter 7A (General Recreation Activity Area)]

Amend Rule 7A 2.1.1 (i) to allow outdoor concerts as follows:

7A 2.1.1 Permitted Activities – Conditions

(i) Motorised Activities and ~~Outdoor Concerts:~~

~~Motorised activities and outdoor concerts where there is amplified music~~ are not permitted.

This condition excludes park management and maintenance vehicles for all General Recreation Activity Areas, and farming operation vehicles only in the Belmont Regional Park and East Harbour Regional Park.

Amendment 8 [Chapter 7C (River Recreation Activity Area)]

Amend Rule 7C 2.1 to include Council management of reserve as a permitted activity as follows:

7C 2 Rules

7C 2.1 Permitted Activities

- (a) Works necessary for the management of any reserve, river or stream by the Wellington Regional Council or the Hutt City Council.
- (b) All recreation and leisure activities, but excluding motorised activities.
- (c) Landscape furniture.
- (d) On the land identified in DP 72284 but excluding that area identified as 'G' and shown on Appendix River Recreation 1, extraction activities limited to extraction, processing, storage, removal, ancillary earthworks, removal and deposition of overburden and rehabilitation works, and ancillary administrative activities

Amendment 9 [Chapter 14A (Transport)]

Amend Rule 14A(iii) 2.1 (a) to exclude temporary activities and filming activities from car parking requirements as follows:

14A(iii) 2 Rules

14A(iii) 2.1 Permitted Activities - Conditions

(a) Car Parking Requirements:

The following parking provisions shall apply in all activity areas where an activity is established on site; or there is a change in

activity; or the building is constructed, substantially reconstructed, altered or added to. Except as provided for in this section and in Section (c) below (Special Parking Areas) and in relation to temporary activities and filming activities, all activities shall meet the minimum parking requirements set out in Appendix Transport 3.

Parking requirements are based on the type, scale and the associated trip generation factors for each activity. The minimum parking requirements are listed in Appendix Transport 3. Sufficient car parking shall be provided to meet the actual or 10th highest parking demand hour in any year during the life of the development. The parking standards in Appendix Transport 3 are deemed to meet this objective for parts of the City except as provided for in this section and in Section (c) below (Special Parking Areas).

In calculating the number of parking spaces to be provided, fractional numbers shall be rounded up to the next complete number.

If the proposed development will lead to the loss of public parking on an Access Road, either through additional length of kerb crossing, or through consequential parking prohibitions, then the number of parks lost shall be added to the requirement.

Space needed for manoeuvring, loading, unloading, queuing, or standing at a service booth, shall not be used for car parks counted towards meeting the requirement.

Part 3C: Proposed Plan Change 13

Amendments to Chapters 14J (Temporary Activities) and 14K (Filming)

Amendment 10 [Chapter 14J (Temporary Activities)]

Add chapter 14J in the General Rules section as follows:

14J Temporary Activities

Introduction

Temporary activities include a wide range of temporary events, such as concerts, festivals and markets, and temporary buildings for construction and storage. Temporary events are varied in nature and scale; they could be one-off events or regular occurrences which are planned well in advance, they are usually relatively short in duration and often involve activities outside of normal working hours, such as evenings and weekends. Temporary activities are necessary to satisfy a wide range of social, cultural and economic needs and as such, should be provided for in a flexible manner while ensuring any adverse effects on the environment are appropriately managed.

14J 1 Issues, Objectives and Policies

14J 1.1 Encouraging diversity and variety of activities while managing environmental effects

Issue

Temporary activities have positive social, cultural and economic impacts and encourage vibrancy and diversity within the community. It is important to allow for a wide range of temporary activities within the city. However temporary activities can have adverse effects on residents and the environment such as noise, traffic, recreation, heritage, cultural and visual effects.

Objective

To provide for a wide range of temporary activities within the city while ensuring that any adverse effects on the environment are avoided, remedied or mitigated.

Policies

- (a) To allow a wide range of temporary activities within the city.
- (b) To manage the adverse effects of temporary activities on the environment.

Explanation and reasons

The District Plan recognises the need to provide for a wide range of temporary activities as they have positive social, cultural and economic impacts for the city. Given the short duration of temporary activities their environmental effects are often acceptable. However, there is the potential for temporary activities to have adverse effects on the environment, such as detracting from amenity values and the quality of life of surrounding residents. As such, it is appropriate to establish rules in order to ensure that the adverse effects of temporary activities are avoided, remedied or mitigated.

14J 1.2 Amenity Values

Issue

Temporary activities can occur within or close to sensitive environments, such as residential areas. Temporary activities can have adverse effects on amenity, for example: traffic, noise, light spill and glare and waste generation.

Objective

To ensure that any adverse effects of temporary activities on the amenity values of sensitive environments, such as residential areas, are avoided, remedied or mitigated.

Policies

- (a) To establish rules in the District Plan to manage the scale, intensity and duration, of temporary activities in order to maintain the amenity values of surrounding residents and other sensitive environments.

Explanation and Reasons

Temporary activities can result in adverse effects on amenity values where located in or close to sensitive areas, such as residential areas. As such, it is important to manage adverse effects, such as visual effects, noise and waste, appropriately in order to ensure that amenity values are maintained.

14J 2 Rules

14J 2.1 Permitted Activities

(a) Temporary activities

(b) Accessory construction buildings and storage

14J 2.1.1 Permitted Activities – Conditions for temporary activities in all activity areas

(a) **Duration:**

(i) The total occupation of a site for temporary activities (includes erection and removal of all associated structures and buildings and includes removal of waste and restoration of the site) shall not exceed a period of 5 days in total.

(ii) The total duration of a temporary activity on a site shall not exceed 3 consecutive days at any one time.

(b) **Hours of operation:**

All temporary activities shall only operate (including set up and pack up activities) between the hours of 7.00am and 10.00pm from Sunday to Thursday inclusive; and between the hours of 7.00am and 11.00pm on Fridays and Saturdays.

Exception:

On December 31st of any calendar year the finish time of temporary activities may be extended to 1.00am the following day.

(c) **Light spill and glare:**

All temporary activities shall comply with the light spill and glare rules as they apply to the Activity Area in which the temporary activity is located.

(d) **Noise:**

Any noise resulting from temporary activities shall not exceed 70dBA L10 and Lmax80 when measured at any residential site boundary.

(e) **Dust and wind blown debris:**

All temporary activities shall be undertaken in such a manner to avoid nuisance from dust or other wind blown debris at or beyond the site boundary.

(f) Sanitation facilities:

All temporary activities shall be undertaken to ensure that sanitary facilities to service the activity are provided on the site for the duration of the activity to the satisfaction of the Council.

(g) Waste:

- (i) A Waste Minimisation Plan shall be provided to the Council prior to the operation of the temporary activity.
- (ii) The temporary activity shall be carried out in accordance with the Waste Minimisation Plan.

(h) General Rules:

Compliance with all other General Rules.

14J 2.1.2 Permitted Activities – Conditions for accessory construction buildings and storage in all activity areas

(a) Maximum duration

Accessory construction buildings and storage must only be used in association with a permitted activity on the site and must be removed from the site within three months of the completion of the building or construction works or if used for temporary storage for any other reason, within three months of being placed on the site.

Except that where accessory construction buildings and storage are not visible from any public road or are not visible from any adjoining properties or where they are within a commercial or business activity area, the maximum duration shall not apply.

(b) Bulk and location

All accessory construction buildings and storage must comply with the permitted activity conditions of the Activity Area in which they are located.

(c) General Rules

Compliance with all other General Rules.

14J 2.2 Restricted Discretionary Activities

- (a) In all activity areas any temporary activity which does not comply with any one or more of the Permitted Activity Conditions.

- (b) In all activity areas any accessory construction buildings and storage which do not comply with any one or more of the Permitted Activity Conditions.

14J 2.2.1 Matters in which Council has restricted its discretion and standards and terms

(a) In all activity areas any temporary activity which does not comply with any one or more of the Permitted Activity Conditions.

- (i) Amenity values
- The nature, duration, hours of operation and frequency of the activity and any cumulative effects on amenity values.
 - The noise effects of the proposal, including the nature of the noise and the duration of any amplified sound.
 - The visual, dust, light-spill and glare, odour and vibration effects of the activity and the effectiveness of any mitigation measures proposed.
- (ii) Environment
- The extent to which the environment in and surrounding the site is sensitive to modification.
 - The effects on the natural environment including natural landscapes, native vegetation and habitats and fauna.
 - The effect of the activity on public recreational values.
 - The effects on cultural and heritage values.
- (iii) Waste, health and safety
- The effects on the environment of the waste generated by the activity.
 - The effectiveness and efficiency of the Waste Minimisation Plan for the temporary activity in terms of reduction in waste and enabling reuse and recycling.
 - The manner in which sanitary facilities are managed.
 - The potential effects relating to hazards, including natural hazards and risk from hazardous facilities and, if relevant, whether they are taken into account and addressed.
 - The provision for appropriate emergency management if the proposal may endanger public safety.
- (iv) Traffic
- The traffic effects of the activity on the safety and efficiency of the surrounding road network.
 - The provision for vehicle access, servicing and car parking and the potential impacts on the environment and the road network.

- The provision of temporary traffic management measures to mitigate the traffic effects of the proposal.
- The effects of traffic and car parking on the amenity of the surrounding area.
- The provision made for pedestrian access and safety.
- The provision made for encouraging the use of alternative transport modes to the activity such as public transport, cycling and walking.

(b) In all activity areas any accessory construction buildings or storage which do not comply with any one or more of the Permitted Activity Conditions.

Amenity values:

- Whether the appearance, scale and condition of buildings or structures will be sympathetic to the site and the neighbourhood.
- The duration in which the buildings or structures will be located on the site and whether it is associated with works or construction which will be undertaken within a specific time period.
- The ability of the buildings or structures to be screened on the site and the effectiveness of any other mitigation measures proposed.

14J 2.2.2 Other Matters

All restricted discretionary activities shall comply with the other relevant permitted activity conditions.

14J 3 Anticipated Environmental Results

- (a) Temporary activities are provided for in a flexible manner.
- (b) The adverse effects on the environment of temporary activities are avoided, remedied or mitigated.
- (c) The amenity values of residents and the quality of the environment are maintained.

Amendment 11 [Chapter 14K (Filming)]

Add chapter 14K in the General Rules section as follows:

14K Filming

Introduction

Filming is considered to be a commercially driven business with short, unpredictable timelines. It is usual for filming to occur during normal business hours and does not involve a large number of public participants. However, it often involves the commercial use of public resources. Filming is also recognised as being a unique industry and therefore needs to be managed in a flexible manner while ensuring any adverse effects are managed to an acceptable level.

14K 1 Issues, Objectives and Policies

14K 1.1 Enabling film making activities while managing environmental effects

Issue

Filming can have positive economic, social, cultural and environmental effects. However, filming can also have adverse environmental effects if not managed well. Provision needs to be made for filming activities within the city while ensuring that any adverse effects are adequately avoided, remedied or mitigated.

Objective

The appropriate management of filming and associated activities and their environmental effects within Hutt City.

Policies

(a) To ensure filming and associated activities are able to locate within Hutt City

(b) To manage adverse environmental effects from filming.

Explanation and reasons

Examples of adverse environmental effects that need to be managed accordingly are potential loss of cultural and recreation values, traffic impacts and other environmental consequences.

The infrequent nature and limited duration of filming is recognised and provided for in a flexible manner, while managing any adverse environmental effects.

14K 1.2 Amenity Values

Issue

Film making activities can occur within or close to sensitive environments, such as residential areas. Filming activities can have adverse effects on amenity, for example: traffic, noise, light spill and glare and waste generation.

Objective

The protection of amenity values where filming occurs

Policies

- (a) To establish rules in the District Plan to manage the scale, intensity and duration, of filming activities in order to maintain the amenity values of surrounding residents and other sensitive environments.

Explanation and Reasons

The nature and scale of filming means that neighbouring sites and activity areas to where filming and associated activities occur may experience adverse effects on amenity values. As such, it is important to manage adverse affects appropriately.

14K 2 Rules

14K 2.1 Permitted Activities

(a) Filming activities

14K 2.2 Permitted Activities – Conditions in all activity areas

(a) **Duration:**

The total occupation of the site for filming activities shall not exceed 30 consecutive days.

(b) **Structures:**

All associated structures and buildings shall comply with the permitted conditions in the Activity Area they are occupying and with the General Rules in the Plan.

(c) **Noise:**

Any noise resulting from filming activities shall not exceed 70dBA L10 and Lmax80 when measured at any residential site boundary.

(d) **Site Restoration:**

Any site where filming activities occur shall be restored to its original condition or better within 15 days of the completion of the filming activity.

(e) **Light spill and glare:**

All filming activities shall comply with the light spill and glare rules as they apply to the Activity Area in which the proposed filming is located.

(f) **Dust and wind blown debris:**

All filming activities shall be undertaken in such a manner to avoid nuisance from dust or other wind blown debris at or beyond the site boundary.

(g) **Waste:**

(i) A Waste Minimisation Plan shall be provided to the Council prior to the operation of the filming activity.

(ii) The filming activity shall be carried out in accordance with the Waste Minimisation Plan.

(h) **General rules:**

Compliance with all other General Rules.

14K 2.3 Restricted Discretionary Activities

- (a) In all activity areas any filming activity which does not comply with any one or more of the Permitted Activity Conditions.

14K 2.3.1 Matters in which Council has restricted its discretion and standards and terms

- (i) Amenity values
- The nature, duration, hours of operation and frequency of the activity and any cumulative effects on amenity values.
 - The noise effects of the proposal, including the nature of the noise and the duration of any amplified sound.
 - The visual, dust, light-spill and glare, odour and vibration effects of the activity and the effectiveness of any mitigation measures proposed.
- (ii) Environment
- The extent to which the environment in and surrounding the site is sensitive to modification.
 - The effects on the natural environment including natural landscapes, native vegetation and habitats and fauna.
 - The effect of the activity on public recreational values.
 - The effects on cultural and heritage values.
- (iii) Waste, health and safety
- The effects on the environment of the waste generated by the activity.
 - The effectiveness and efficiency of the Waste Minimisation Plan for the temporary activity in terms of reduction in waste and enabling reuse and recycling.
 - The manner in which sanitary facilities are managed.
 - The potential effects relating to hazards, including natural hazards and risk from hazardous facilities and, if relevant, whether they are taken into account and addressed.
 - The provision for appropriate emergency management if the proposal may endanger public safety.
- (iv) Traffic
- The traffic effects of the activity on the safety and efficiency of the surrounding road network.
 - The provision for vehicle access, servicing and car parking and the potential impacts on the environment and the road network.
 - The provision of temporary traffic management measures to mitigate the traffic effects of the proposal.
 - The effects of traffic and car parking on the amenity of the surrounding area.

- The provision made for pedestrian access and safety.
- The provision made for encouraging the use of alternative transport modes to the activity such as public transport, cycling and walking.

14K 2.3.2 Other Matters

All Restricted Discretionary Activities must comply with other relevant Permitted Activity Conditions.

14K 3 Anticipated Environmental Results

- (a) Adverse effects on the environment are avoided, remedied or mitigated
- (b) Filming activities are provided for in a flexible manner
- (c) The amenity values of neighbours close to filming activities are maintained