TEMP — Temporary Activities

A wide range of temporary activities contribute to the vibrancy, diversity, and prosperity of Lower Hutt. These activities include community, cultural, and economic events on a large and small scale, open to the public or in private.

The benefits of temporary activities and the limited duration of adverse effects mean that those effects are likely to be more acceptable to the community. This chapter therefore provides a more liberal pathway for certain temporary activities in zones where they might not otherwise be provided for. Temporary activities are permitted where they meet certain standards. Where they exceed the thresholds in those standards, operators can apply for resource consents which assess the effects of those activities case by case.

Temporary activities are also managed by the Council through bylaws and other local government powers such as by being the road controlling authority on roads, and being the owner of many public open space sites frequently used for events.

Objectives

TEMP-O1	Benefits of temporary activities
A broad range of temporary activities contribute to making Lower Hutt a vibrant, diverse, and prosperous city.	
TEMP-O2	**Adverse effects of temporary activities**
Temporary activities occur in ways that: 1. Protect cultural and heritage values, people's health and safety, and the natural environment, 2. Protect public access to lakes, rivers, and the coast, 3. Do not detract from public access to public spaces (other than any public space in which the temporary activity occurs) and the operations and capacity of the transport network more than is reasonable considering the benefits of the activity, 4. Do not detract from amenity values more than is reasonable considering the benefits of the activity, and 5. Have only temporary adverse effects.	

Policies

TEMP-P1	Recognise benefits of temporary activities
Recognise that a wide range of temporary activities have social, economic, cultural, and environmental benefits for the wellbeing of people and communities.	
TEMP-P2	**Recognise limited duration of effects**
Recognise that the limited duration and infrequent recurrence of temporary activities limits the impact of their adverse effects and makes those effects more likely to be acceptable to the community.	
TEMP-P3	**Provide for temporary activities**
Provide for temporary activities where the adverse effects are temporary and are acceptable, considering the scale of the benefits of those temporary activities.	
TEMP-P4	**Minimising certain effects of temporary activities**
Minimise the adverse effects of temporary activities on: 1. Cultural values of listed sites of significance to Māori, where those effects are unreasonable in duration or irreversible, 2. Heritage values of listed heritage items, where those effects are unreasonable in duration or irreversible, 3. People's health and safety, including the safety of the transport network, 4. The natural environment, and 5. Public access to lakes, rivers, and the coast.	
TEMP-P5	**When effects of temporary activities on public access to public spaces must be mitigated**
Mitigate the adverse effects of temporary activities on public access to public spaces, including streets, but not including any public space in which the temporary activity occurs, that are: 1. Unreasonable in duration, or 2. Disproportionate to the scale and benefits of the activity.	
TEMP-P6	**When effects of temporary activities on amenity values must be mitigated**
Mitigate the adverse effects of temporary activities on the peace, privacy, quiet, and other amenity values of nearby	

areas, particularly rural areas, residential areas, and public spaces, including streets, that are:
1. Unreasonable, considering the planned place function of those streets and the planned purpose and character of the zones and precincts covering those other nearby areas, or
2. Unreasonable in duration, or
3. Disproportionate to the scale and benefits of the activity.

TEMP-P7	When effects of temporary activities on transport network operations and capacity must be mitigated

Mitigate the adverse effects of temporary activities on the operations and capacity of the transport network that are:
1. Unreasonable, considering the planned place function and movement function of the relevant parts of the transport network, or
2. Unreasonable in duration, or
3. Disproportionate to the scale and benefits of the activity.

TEMP-P8	Encourage events to be conveniently accessible

Maximise the community benefits of large temporary activities that are open to the public (whether for a fee or otherwise) by encouraging them to be located and managed to be accessible to the widest possible range of people by active transport and public transport, while recognising that those activities may have functional needs or operational needs for their location.

Rules

Where the rules in this chapter apply, they take precedence over the rules of any zone or precinct, and take precedence over the rules of the Signs chapter.

All other district-wide rules and the rules of any overlay in Part 2 of the plan apply in addition to this chapter. Where resource consent is required for a temporary activity under a rule in any other chapter the objectives and policies of this chapter should still be considered.

Where an activity is not included in any rule in this chapter, the chapter does not apply, and all relevant zone, precinct, and district-wide rules apply.

TEMP-R1	Temporary activities
All zones	1. **Activity status:** Permitted Where: a. Compliance is achieved with: i. TEMP-S1: Duration, ii. TEMP-S2: Recurrence, iii. TEMP-S3: Hours of operation, iv. TEMP-S4: Transport, and v. TEMP-S5: Restoration of site.
All zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with one or more of: i. TEMP-S1: Duration, ii. TEMP-S2: Recurrence, iii. TEMP-S3: Hours of operation, iv. TEMP-S4: Transport, and b. Compliance is achieved with standard TEMP-S5: Restoration of site. **Matters of discretion are restricted to:** 1. Positive effects, including contribution to Lower Hutt's vibrancy, diversity, and prosperity. 2. The matters of discretion in any standard not met. **Note:** Where compliance is not achieved with standard TEMP-R5, the activity is not a temporary activity, this rule does not apply, and the rules of the relevant zone and any precincts apply.
TEMP-R2	**Temporary buildings, structures, and features**
All zones	1. **Activity status:** Permitted

	Where: a. Compliance is achieved with TEMP-S6: Buildings, Structures, and Features, and b. The buildings, structures, and features relate to: i. A temporary activity that is permitted by TEMP-R1.1, or ii. A temporary activity that is authorised by a resource consent under TEMP-R1.2, or iii. An activity other than a temporary activity that is permitted under this plan.
All zones	2. **Activity status:** Restricted discretionary Where: a. Compliance is not achieved with TEMP-S6: Buildings, Structures, and Features, and b. The buildings, structures, and features relate to: i. a temporary activity that is permitted by TEMP-R1.1, or ii. a temporary activity that is authorised by a resource consent under TEMP-R1.2, or iii. an activity other than a temporary activity that is permitted under this plan. **Matters of discretion are restricted to:** 1. Positive effects. 2. The matters of discretion in any standard not met. **Note:** Where compliance is not achieved with TEMP-R2.1 or TEMP-R2.2, this rule does not apply and the rules of the relevant zone and any precincts apply.

Standards

TEMP-S1	Duration
All zones	1. The duration of temporary activities, including multiple temporary activities on the same site, must not exceed 6 consecutive days, excluding: a. The erection and removal of associated temporary buildings, structures, and features, b. Other associated set up and pack up activities, and c. The removal of waste and restoration of the site as required by TEMP-S5. 2. The duration of temporary activities including the associated set up and pack up activities of TEMP-S1.1b and the removal of waste and restoration of the site required by TEMP-S1.1c must not exceed 10 consecutive days. **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. People's health and safety. 3. Public access to lakes, rivers, the coast, and public spaces, including streets. 4. The amenity values of nearby areas, including streets. 5. The safe and efficient transportation of people to and from the event. 6. The extent to which transportation of people to and from the event can make use of active transport and public transport. 7. The effects of the event on transport network operations, safety and capacity.
TEMP-S2	**Recurrence**
Commercial and mixed use zones **Open Space and Recreation Zones** **Light Industrial Zone** **Hospital Zone** **Tertiary Education Zone** **Marae Zone** **Quarry Zone**	1. A site must not be occupied for temporary activities on more than 60 days in any calendar year. **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport. 8. The effects of the event on transport network safety and capacity.

(except in legal road)	
Residential Zones **Rural Zones** **(except in legal road)**	1. A site must not be occupied for temporary activities that consist of filming on location, military training, or emergency response training, on more than 30 days in any calendar year. 2. A site must not be occupied for any other temporary activities on more than 10 days in any calendar year. 3. A site must not be used for more than 3 temporary activities in any calendar year. **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport. 8. The effects of the event on transport network safety and capacity.
Heavy Industrial Zone **General Industrial Zone** **Seaview Marina Zone** **(except in legal road)**	1. A site must not be occupied for temporary activities that consist of filming on location, military training, or emergency response training, on more than 30 days in any calendar year. 2. A site must not be occupied for any other temporary activities on more than 10 days in any calendar year. 3. A site must not be used for more than 3 temporary activities in any calendar year. **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety. 4. Public access to lakes, rivers, the coast, and public spaces, including streets. 5. The amenity values of nearby areas, including streets. 6. The safe and efficient transportation of people to and from the event. 7. The extent to which transportation of people to and from the event can make use of active transport and public transport. 8. The effects of the event on transport network safety and capacity. 9. Reverse sensitivity effects on major hazard facilities and other heavy industrial activities.
In legal road	1. This standard does not apply in legal road. **Note:** The Council as road controlling authority has the power to restrict and manage activities in legal road.
TEMP-S3	**Hours of operation**
City Centre Zone	There are no requirements of this standard.
General Rural Zone	1. Temporary activities must only operate between the hours of: a. Sunday to Thursday - 7.00am to 10.00pm.

Industrial Zones **Metropolitan Centre Zone** **Local Centre Zone** **Neighbourhood Centre Zone** **Mixed Use Zone** **Seaview Marina Zone** **Hospital Zone** **Tertiary Education Zone** **Marae Zone** **Quarry Zone** **Natural Open Space Zone** **Sport and Active Recreation Zone** **Open Space Zone**	b. Friday and Saturday - 7.00am to 11.00pm. 2. Associated set up and pack up activities may also occur up to one hour before or after the times in TEMP-S3.1. 3. Filming on location may occur outside the hours in TEMP-S3.1 for up to 10 nights per site per calendar year. 4. This standard does not apply to any associated overnight accommodation for staff. 5. This standard does not apply to the evening of New Year's Eve, the morning of New Year's Day, the morning of ANZAC Day, and the morning of Matariki (observed). **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. People's health and safety. 3. The amenity values of nearby areas, including streets. 4. The safe and efficient transportation of people to and from the event. 5. The extent to which transportation of people to and from the event can make use of active transport and public transport. 6. The effects of the event on transport network safety and capacity.
Residential Zones **Rural Lifestyle Zone**	1. Temporary activities must only operate between the hours of: a. Sunday to Thursday - 7.30am to 9.00pm, and b. Friday and Saturday - 7.30am to 10.00pm. 2. Associated pack up activities may also occur up to one hour after the times in TEMP-S3.1. 3. Filming on location may occur outside the hours in TEMP-S3.1 for up to 5 nights per site per calendar year. 4. This standard does not apply to any associated overnight accommodation for staff. 5. This standard does not apply to the evening of New Year's Eve, the morning of New Year's Day, the morning of ANZAC Day, and the morning of Matariki (observed). **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. People's health and safety. 3. The amenity values of nearby areas, including streets. 4. The safe and efficient transportation of people to and from the event. 5. The extent to which transportation of people to and from the event can make use of active transport and public transport. 6. The effects of the event on transport network safety and capacity.
TEMP-S4	**Transport**
City Centre Zone **Metropolitan Centre Zone** **Major Events Overlay**	1. Temporary activities may not have more than 2,000 persons on site at any one time. 2. Temporary activities may not be a drive-through activity. **Matters of discretion if the standard is breached:** 1. The safe and efficient transportation of people to and from the event. 2. The extent to which transportation of people to and from the event can make use of active transport and public transport. 3. The effects of the event on transport network safety and capacity. 4. An event transport management plan to address those matters. 5. Management of the event in accordance with that plan.
Local Centre Zone	1. Temporary activities may not have more than 1,000 persons on site at any one time. 2. Temporary activities may not be a drive-through activity.

Light Industrial Zone **Open Space Zone** **Sport and Active Recreation Zone** **Tertiary Education Zone** **Hospital Zone** **Marae Zone** **Seaview Marina Zone** **(except in the Major Events Overlay)**	**Matters of discretion if the standard is breached:** 1. The safe and efficient transportation of people to and from the event. 2. The extent to which transportation of people to and from the event can make use of active transport and public transport. 3. The effects of the event on transport network safety and capacity. 4. An event transport management plan to address those matters. 5. Management of the event in accordance with that plan.
Natural Open Space Zone **Quarry Zone** **Rural Zones** **General Industrial Zone** **Heavy Industrial Zone** **Residential Zones** **Neighbourhood Centre Zone** **Mixed Use Zone** **(except in the Major Events Overlay)**	1. Temporary activities may not have more than 500 persons on site at any one time. 2. Temporary activities may not be a drive-through activity. **Matters of discretion if the standard is breached:** 1. The safe and efficient transportation of people to and from the event. 2. The extent to which transportation of people to and from the event can make use of active transport and public transport. 3. The effects of the event on transport network safety and capacity. 4. An event transport management plan to address those matters. 5. Management of the event in accordance with that plan.
TEMP-S5	**Restoration of site**
All Zones	1. All waste must be removed and the site restored following the temporary activity. 2. The required site restoration excludes any permanent alterations that would be permitted activities if not for the provisions of this chapter. **Note:** TEMP-S1 sets out the time limit in which this standard must be met, and the matters of discretion if that time limit is exceeded. **Note:** Where this standard is not met, then the activity will not meet the definition of a temporary activity. In such a case this chapter does not apply and the relevant zone and precinct rules apply.
TEMP-S6	**Buildings, structures, and features**
Commercial and	1. Any temporary buildings, structures, and features that do not comply with any relevant

mixed use zones **Industrial zones** **Open Space and Recreation Zones** **Seaview Marina Zone** **Hospital Zone** **Tertiary Education Zone** **Marae Zone**	standards for buildings, structures and features in the relevant zone or precinct: a. Must not begin construction earlier than 7 days before the temporary activity, if they relate to a temporary activity, b. Must be removed within 7 days of the end of the temporary activity, if they relate to a temporary activity, and c. Must be completely removed within 21 days of construction beginning. **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety, including the safety of the transport network. 4. Effects on the natural environment. 5. Public access to lakes, rivers, the coast, and public spaces, including streets. 6. The amenity values of nearby areas, including streets. 7. The capacity of the transport network. 8. Effects from construction and demolition. **Note:** In this standard, "relevant standards" in zones includes only the zone's standards (i.e. those numbered S1, S2, etc.), and not conditions within rules.
Residential Zones **Rural Zones** **Quarry Zone**	1. Any temporary buildings, structures, and features must comply with any relevant standards for buildings, structures, and features in the relevant zone or precinct. **Matters of discretion if the standard is breached:** 1. Cultural values of sites of significance to Māori listed in SCHED6 - Sites and Areas of Significance to Māori. 2. Heritage values of heritage items listed in SCHED1 - Heritage Buildings and Structures or SCHED2 - Heritage Areas. 3. People's health and safety, including the safety of the transport network. 4. Effects on the natural environment. 5. Public access to lakes, rivers, the coast, and public spaces, including streets. 6. The amenity values of nearby areas, including streets. 7. The capacity of the transport network. 8. Effects from construction.