

## 4. Temporary Activities

### 4.1 Introduction

Temporary events, and uses such as concerts, festivals, parades, and market days, occur on a regular basis throughout the city, and primarily in public places. The Plan needs to provide for such activities and recognise the contribution that they make to the social and cultural well-being of communities and to the vitality of the city.

In addition to community focused events, military training exercises, filming, construction, temporary helicopter landings, mobile trading, temporary signage, and temporary disaster management accommodation are also provided for within the Plan with a clear set of parameters to ensure any adverse effects arising from the activities are avoided, remedied or mitigated. Temporary activities incorporate both the activities and structures to facilitate the activities.

~~While they make a positive contribution,~~ **{TA cl.16}** Temporary activities can also generate adverse effects on surrounding environments, particularly in the form of noise, increased traffic movements and parking requirements. ~~That said,~~ **{TA cl.16}** The temporary nature of such activities generally minimises these adverse effects and consequently many events of short duration are tolerated by parts of the community, while other members enjoy what the event has to offer.

~~To address these issues, the Second Generation Plan proposes to include objectives, policies and rules to ensure the number, scale and intensity of temporary events and uses does not increase to a level beyond which the effects of the event are more than of a temporary and do not have more than a minor effect.~~ **{TA cl.16}**

## 4.2 Objectives and Policies

Objective 4.2.1	
Temporary activities are enabled while:	
a. minimising, as far as practicable, any adverse effects on the amenity and character of the zone; and <b>{TA 583.7}</b>	
b. ensuring any adverse effects on people's health and safety are minimised <u>as far as practicable.</u> ; and <b>{PO 906.34 and 308.497}</b>	
c. meeting the relevant objectives and policies for any overlay zone, scheduled site, or mapped area in which it is located. <b>{TA 583.7}</b>	
Policy 4.2.1.1	Require temporary activities to be designed and operated to minimise, <u>as far as practicable.</u> <b>{PO 906.34 and 308.497}</b> adverse effects on: <ul style="list-style-type: none"> <li>a. the amenity of surrounding properties;</li> <li>b. people's health and safety; and</li> <li>c. the safety and efficiency of the transport network. <b>{TA cl.16'}</b></li> </ul>
Policy 4.2.1.2	Require temporary signs to be located and designed to minimise, <u>as far as practicable.</u> <b>{PO 906.34 and 308.497}</b> adverse effects on: <ul style="list-style-type: none"> <li>a. <del>streetscape</del> <u>streetscape</u> <b>{PO cl.16}</b> amenity; and</li> <li>b. the safety and efficiency of the transport network.</li> </ul>
Policy 4.2.1.3	Only allow temporary events - large scale and filming - large scale where they are located and operated to ensure adverse effects on amenity and the transport network <del>can will</del> <b>{PO cl.16}</b> be avoided or, if avoidance is not possible <u>practicable</u> <b>{PO 908.3 and others}</b> , adequately mitigated.

<sup>1</sup> **TA cl.16:** The only temporary activities that require consent are covered by Policy 4.2.1.3, which relates to effects on the transportation network and none of the RD performance standard contraventions have effects on transportation as a matter of discretion so this part of the policy is redundant.

## Rules

### Rule 4.3 Activity Status

#### 4.3.1 Activity status introduction

1. The activity status table in Rule 4.3.2 shows the activity status of temporary activities across all zones, provided any performance standards shown in the far right column are met. The activities in the temporary activities category are listed in the Nested Table in Section 1.36 **{PO cl.16}**.
2. Performance standards apply to permitted and restricted discretionary activities.
3. If a permitted activity does not meet one or more performance standards, then the activity status of the activity ~~will become restricted discretionary, unless otherwise indicated by the relevant performance standard~~ is indicated in the relevant performance standard rule. **{PO cl.16}**.
4. If a restricted discretionary activity does not meet one or more performance standards, then the activity status remains restricted discretionary, unless otherwise indicated in the performance standard.
5. Any site development activities associated with an activity provided for in the activity status table in Rule 4.3.2 are subject to the provisions of the relevant management zone section. **{PO cl.16}**
6. Any earthworks associated with an activity provided for in the activity status table in Rule 4.3.2 are subject to the provisions in Section 8A. **{PO cl.16}**

#### Legend

Acronym	Activity-status Meaning <b>{PO cl.16}</b>
P	Permitted Activity
RD	Restricted Discretionary Activity

#### 4.3.2 Activity status table - temporary activities

1.	Performance standards that apply to all temporary activities		a. Development standards b. Light spill c. <del>Hazard overlay zones development standards</del> <b>{TA 583.9}</b>
Activity		Activity status	Performance standards
2.	Construction	P	a. Noise
3.	Filming - small scale	P	a. <del>Maximum duration and site restoration</del> Maximum Duration, Frequency, and Site Restoration <b>{TA cl.16}</b> b. Hours of operation c. Noise

4.	Filming - large scale	RD	<ul style="list-style-type: none"> <li>a. <del>Maximum duration and site restoration</del> Maximum Duration, Frequency, and Site Restoration <b>{TA cl.16}</b></li> <li>b. Hours of operation</li> <li>c. Noise</li> </ul>
5.	<del>Temporary {TA cl.16}</del> Helicopter landings <u>movements</u> <b>{TA 917.13}</b>	P	<ul style="list-style-type: none"> <li>a. <del>Maximum duration and site restoration</del> Maximum Duration, Frequency, and Site Restoration <b>{TA cl.16}</b></li> <li>b. <u>Noise</u></li> </ul>
6.	Military exercises	P	<ul style="list-style-type: none"> <li>a. Notice to DCC (military exercises)</li> <li>b. Setbacks (military exercises)</li> <li>c. Noise</li> </ul>
7.	Mobile trading of readily consumable foods in a public place	P	<ul style="list-style-type: none"> <li>a. <del>Maximum duration and site restoration</del> Maximum Duration, Frequency, and Site Restoration <b>{TA cl.16}</b></li> </ul>
8.	Temporary disaster management accommodation	P	
9.	Temporary events - small scale	P	<ul style="list-style-type: none"> <li>a. <del>Maximum duration and site restoration</del> Maximum Duration, Frequency, and Site Restoration <b>{TA cl.16}</b></li> <li>b. Hours of operation</li> <li>c. Noise</li> </ul>
10.	Temporary events - large scale	RD	<ul style="list-style-type: none"> <li>a. <del>Maximum duration and site restoration</del> Maximum Duration, Frequency, and Site Restoration <b>{TA cl.16}</b></li> <li>b. Hours of operation</li> <li>c. Noise</li> </ul>
11.	Temporary signs	P	<ul style="list-style-type: none"> <li>a. Number, design and location of temporary signs</li> </ul>

#### **Note 4.3.2A - Other requirements outside of the District Plan**

1. Permission from the Dunedin City Council (DCC) must be obtained for all temporary activities on DCC land including reserves and roads. Please contact the DCC's Transportation Group or Parks and Recreation Department on 03 477 4000 and ensure all appropriate permissions are received including for:
  - a. temporary road closures; and
  - b. use of reserves or open space.
2. If food will be sold at an event, it is the responsibility of the event organiser to ensure all food operators have approval from the DCC's Environmental Health Department. Please contact Environmental Health Department on 03 477 4000 or visit the DCC website [www.dunedin.govt.nz](http://www.dunedin.govt.nz) for more information.
3. Activities that involve the sale or provision of alcohol may require a licence. Please contact the DCC's Alcohol Licensing Department on 03 477 4000 for more information.
4. Building consent may be required for some temporary structures. These must be obtained from DCC. Please contact Council's Building Services Department on 03 477 4000 for more information.
5. A licence is required under the Mobile Trading and Temporary Stall Bylaw 2014 to carry out mobile trading. Permission from the DCC must be obtained for all mobile trading activities on DCC land including reserves and roads. Please contact the DCC's Environmental Health Department on 03 477 4000 or visit the DCC website [www.dunedin.govt.nz](http://www.dunedin.govt.nz) for more information.
6. In addition to the noise limits specified in this section, noise emissions from temporary events will be subject to complaint based Excessive Noise provisions (sections 326-328) of the Resource Management Act 1991. The DCC's Environmental Health Department or their contractors will be responsible for responding to any noise complaints received by the DCC in relation to an event. To ensure there are no surprises on the day of the event it is recommended you liaise with the Environmental Health Department prior to the event, provide contact details for key personnel and agree on a protocol for responding to noise complaints should they arise. For more information, please contact the DCC on 03 477 4000 or visit the DCC website at [www.dunedin.govt.nz](http://www.dunedin.govt.nz).
7. Permission must be obtained from the NZ Transport Agency for all temporary activities on state highway road reserve. {TA 881.46}

#### **Note 4.3.2B - Other relevant District Plan provisions**

1. Mobile trading, other than as provided for in Rule 4.3.2.7 is managed as if it were not operating from mobile premises (i.e. the activity status and land use performance standards of the zone in which it is occurring apply)
  2. ~~Earthworks are managed through the management and major facilities zone sections. {PO cl.16}~~
- <sup>1</sup> **PO cl.16:** moved from Note 4.3A to Rule 4.3.1 and minor amendments to clarify new location of earthworks provisions.

#### **Note 4.3C - Other relevant District Plan provisions {PO cl.16<sup>1</sup>}**

1. ~~Earthworks are managed through the management and major facilities zone sections. {PO cl.16}~~
- <sup>1</sup> **PO cl.16:** moved from Note 4.3C to Rule 4.3.1 and minor amendments to wording to clarify new location of earthworks provisions.

## Rule 4.4 Notification

- Activities are subject to the normal tests for notification in accordance with sections 95A-95G of the RMA.

## Rule 4.5 Performance Standards

### 4.5.1 Development Standards

- Temporary buildings, structures, earthworks, **{TA cl.16}** and site development activities associated with temporary activities must meet the maximum height, height in relation to boundaries, setbacks, hazard exclusion areas, vegetation clearance standards, and earthworks performance standards of the zone in which they are located, except:
  - temporary signs (see Rule 4.5.7);
  - setbacks from coast and water bodies, provided buildings and structures are set back from the coast or water bodies a minimum of 5m; and
  - temporary buildings and structures associated with construction are exempt from meeting performance standards for maximum height, height in relation to boundary, and boundary setbacks provided they are erected for no more than 90 days.
- Temporary buildings and structures associated with temporary activities may be located on parking areas required to meet the performance standard for minimum car parking for up to 90 days.
- Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

<sup>1</sup> **TA cl.16:** Earthworks is specifically mentioned in this rule as it is now a citywide activity and therefore no longer included within 'site development activities'.

### 4.5.2 Hours of Operation

- Temporary events and filming must not exceed the following hours of operation:

Activity		i. Hours of operation within residential zones or within 100m of a residential zone	ii. Hours of operation within all other zones
a.	Temporary events that do not involve amplified noise	All days: 8.00am - 9.00pm	Sunday - Thursday: 6.00am - 10.00pm Friday and Saturday: 6.00am - 11.00pm (or 11.30pm in the CBD Zone)
b.	Temporary events that involve the operation of amplified sound equipment	Sunday - Thursday: 10.00am - 7.00pm Friday and Saturday: 10.00am - 9.00pm	Sunday - Thursday: 10.00am - 9.00pm Friday and Saturday: 10.00am - 10.00pm (or 11.30pm in the CBD Zone)
c.	Filming	All days: 8.00am - 7.00pm	All days: 7.00am - 9.00pm (or 12.00am midnight in an industrial zone)

- Except in all zones the hours of operation for New Years Eve celebrations, including those that involve the operation of amplified sound equipment, is extended until 1.00am the following morning.
- Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

#### 4.5.3 Maximum Duration, Frequency, and Site Restoration

##### Rule 4.5.3.1 Temporary events and filming

- a. Temporary events must not exceed the following maximum durations:

	Location	Maximum duration of event
i.	The Oval (Town Belt (The Oval) Town of Dunedin SO 14526) <b>{TA cl.16}</b>	10 consecutive days
ii.	The Octagon (Sec 1 Reserve No 2 SO 12279 Town of Dunedin) <b>{TA cl.16}</b> and Museum Reserve (363 and 381 Great King Street) <b>{TA cl.16}</b>	5 consecutive days
iii.	All other locations	3 consecutive days

- iv. Except, site preparation, which must not occur more than two days before an event; and site clean-up and restoration, which must be completed within two days of the completion of the event.
- b. No more than five temporary events may occur on a site within any calendar year, except, temporary events in public places, churches, and community halls.
- c. Filming and temporary events must return sites to their original condition after filming or the temporary event is finished.
- d. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

##### Rule 4.5.3.2 Mobile Trading

- a. Mobile trading must not operate in any location for a cumulative period exceeding four hours in any 24 hour period, except:
- if the activity would otherwise be permitted in the zone;
  - if the mobile trading is associated with a temporary event; or
  - if the mobile trading is associated with an event occurring as part of a sport and recreation activity or an event occurring in the Recreation Zone or at major facilities, in which case the maximum duration is for a period starting 2 hours before the start of the event until two hours after the completion of the **{TA cl.16}** event.
- b. Activities that contravene this performance standard are restricted discretionary activities. **{PO cl.16}**

##### Rule 4.5.3.3 Helicopter Landings Movements **{TA 917.13}**

- a. ~~Helicopter landings must not exceed 10 landings on the same site within any calendar year, except two days of unlimited landings on the same site are allowed within any calendar year.~~ **{TA 583.11 and others}**
- b. ~~Helicopter landings must only occur during daylight hours.~~ **{TA 583.11 and others}**
- c. ~~The following activities are exempt from this standard:~~ **{TA 583.11 and others}**
- ~~helicopter landings for emergencies by police, fire service, ambulance, or for search and rescue; and~~ **{TA 583.11 and others}**
  - ~~helicopter landings that meet the noise performance standards for the relevant zone.~~ **{TA 583.11 and others}**
- a. Helicopter movements must not exceed twenty flight movements (a take-off or landing) per calendar month per site. **{TA 583.11}**



- b. Helicopter landings for emergency services are exempt from this standard {TA 583.11}
- c. Activities that contravene this performance standard are restricted discretionary activities. {PO cl.16}

#### **Note 4.5.3.3A - Copyright information**

1. The limits on helicopter movements in Rule 4.5.3.3 are from NZS6807:1994 Noise Management and Land Use Planning for Helicopter Landing Areas. {TA 583.11}

## **4.5.4 Noise**

### **4.5.4.1 Construction**

- a. Construction activity **{TA cl.16}** must not exceed the following limits and will be measured and assessed in accordance with NZS6803:1999 Acoustics – Construction Noise {TA 917.11}:

<b>Noise limits as measured at: the boundary of any property in residential zones, the notional boundary of any residential building in a rural residential zone, or from 6pm to 7.30am within the notional boundary of any building housing any noise sensitive activities in any other zone</b>		<b>Noise limits</b>		
		<b>1. For no more than 14 days of a single construction project</b>	<b>2. For no more than a further 18 weeks of a single construction project</b>	<b>For all other times</b>
i.	Weekdays 6.30 to 7.30am	a. 65-dB LAeq b. 75-dB Lmax	a. 60-dB LAeq b. 75-dB Lmax	a. 55-dB LAeq b. 75-dB Lmax
ii.	Weekdays 7.30am to 6pm and Saturdays 7.30am to 6pm	a. 80-dB LAeq b. 95-dB Lmax	a. 75-dB LAeq b. 90-dB Lmax	a. 70-dB LAeq b. 85-dB Lmax
iii.	Weekdays 6 to 8pm	a. 75-dB LAeq b. 90-dB Lmax	a. 70-dB LAeq b. 85-dB Lmax	a. 65-dB LAeq b. 80-dB Lmax
iv.	Sundays and public holidays 7.30am to 6pm	a. 55-dB LAeq b. 85-dB Lmax	a. 55-dB LAeq b. 85-dB Lmax	a. 55-dB LAeq b. 85-dB Lmax
v.	All other periods not specified above	a. 45-dB LAeq b. 75-dB Lmax	a. 45-dB LAeq b. 75-dB Lmax	a. 45-dB LAeq b. 75-dB Lm
Time period		1. For no more than 14 days of a single construction project	2. For no more than a further 18 weeks of a single construction project	3. Long-term duration (greater than 20 weeks)
vi.	All days 7.30am to 6pm	80-dB LAeq	75-dB LAeq	70-dB LAeq
vii.	All days 6pm to 7.30am	85-dB LAeq	80-dB LAeq	75-dB LAeq

- i. **Construction noise received in residential zones and dwellings in rural and rural residential zones, and buildings housing any noise sensitive activities in any other zone {TA 917.11}**

<b>Time of Week</b>	<b>Time Period</b>	<b>Duration of work</b>
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		<b>1. Typical Duration (dBA)</b>		<b>2. Short-term Duration (dBA)</b>		<b>3. Long-term Duration (dBA)</b>	
		<b>LAeq</b>	<b>Lmax</b>	<b>LAeq</b>	<b>Lmax</b>	<b>LAeq</b>	<b>Lmax</b>
<u>Weekdays</u>	<u>1. 6.30am - 7.30am</u>	<u>60</u>	<u>75</u>	<u>65</u>	<u>75</u>	<u>55</u>	<u>75</u>
	<u>2. 7.30am - 6.00pm</u>	<u>75</u>	<u>90</u>	<u>80</u>	<u>95</u>	<u>70</u>	<u>85</u>
	<u>3. 6.00pm - 8.00pm</u>	<u>70</u>	<u>85</u>	<u>75</u>	<u>90</u>	<u>65</u>	<u>80</u>
	<u>4. 8.00pm - 6.30am</u>	<u>45</u>	<u>75</u>	<u>45</u>	<u>75</u>	<u>45</u>	<u>75</u>
<u>Saturdays</u>	<u>5. 7.30am - 6.00pm</u>	<u>75</u>	<u>90</u>	<u>80</u>	<u>95</u>	<u>70</u>	<u>85</u>
	<u>6. 6.00pm - 7.30am</u>	<u>45</u>	<u>75</u>	<u>45</u>	<u>75</u>	<u>45</u>	<u>75</u>
<u>Sundays and Public Holidays</u>	<u>7. 7.30am - 6.00pm</u>	<u>55</u>	<u>85</u>	<u>55</u>	<u>85</u>	<u>55</u>	<u>85</u>
	<u>8. 6.00pm - 7.30am</u>	<u>45</u>	<u>75</u>	<u>45</u>	<u>75</u>	<u>45</u>	<u>75</u>

ii. **Construction noise received in industrial, Port and commercial mixe use zones for all days of the year {TA 917.11}**

<b>Time Period</b>	<b>Duration of Work</b>		
	<b>1. Typical Duration</b>	<b>2. Short-Term Duration</b>	<b>3. Long-Term Duration</b>
	<b>LAeq (dBA)</b>	<b>LAeq (dBA)</b>	<b>LAeq (dBA)</b>
<u>1. 7.30am - 6.00pm</u>	<u>75</u>	<u>80</u>	<u>70</u>
<u>2. 6.00pm - 7.30am</u>	<u>80</u>	<u>85</u>	<u>75</u>

- b. Vibration from construction must not exceed a maximum particle velocity measured on any foundation of an adjacent building on another site, or the same site if different ownership, of 25mm/second for commercial buildings or 10mm/second for buildings housing noise sensitive activities.
- c. Activities that contravene this performance standard by less than 5dB LAeq (15 min) are discretionary activities.
- d. Activities that contravene this performance standard by 5dB LAeq (15 min) or more are non-complying activities.
- e. For the purposes of Rule 4.5.4.1 "short-term duration" means construction work at any one location for up to 14 calendar days per project; "typical duration" means construction work at any one location for more than 14 calendar days but less than 20 weeks per project; and "long-term duration" means construction work at any one location with a duration exceeding 20 weeks per project {TA 917.11}

**Note 4.5.4.1A - Copyright information {TA cl.16}**

1. For Rule 4.5.4.1: {TA cl.16}
  - a. The provisions in Rule 4.5.4.1 are from {TA cl.16} NSZ 6803:1999 Acoustics Construction Noise by permission of Standards New Zealand under licence 001161.

**4.5.4.2 Temporary events**

- a. Temporary events must comply with the performance standard for noise of the zone in which they are located (see Rule 9.3.6). or for
- b. Temporary events in the CBD Zone; must comply with the following noise limits: {TA cl.16}

Time period		Noise limit
i.	Sunday - Thursday: 10.00am - 10.00pm	1. 60dB LAeq (15 min) 2. 75dB LMax
ii.	Friday and Saturday: 10.00am - 11:30pm	1. 75dB LAeq (15 min) 2. 85dB LMax

- c. Pyrotechnics and firing of a ceremonial cannon are exempt from the performance standards for noise.
- d. Noise will be measured in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound and assessed in accordance with NZS 6802:2008 Acoustics - Environmental Noise. {TA 917.11 and others}
- e. Activities that contravene this performance standard by less than 5 dB LAeq (15 min) are discretionary activities. {TA cl.16}
- f. Activities that contravene this performance standard by 5 dB LAeq (15 min) or more are non-complying activities. {TA cl.16}

<sup>1</sup> **TA cl.16:** Rules giving activity status for contravention of this standard omitted in error and added to reflect the related content in rules 4.9.2.1, 4.10.2.1 and linked rules in 9.6 and 9.7.

**4.5.4.3 Filming (small and large scale)**

Filming activities {TA cl.16} must comply with the performance standard for noise of the zone in which they are located (see Rule 9.3.6) {TA cl.16}.

**4.5.4.4 Military exercises**

- a. Noise from military exercises must not exceed the following limits:
  - i. for mobile noise sources, the noise limits for construction activities {TA cl.16} set out in Rule 4.5.4.1 apply.
  - ii. for fixed (stationary) noise sources, the following limits as measured at the notional boundary of a building housing any noise sensitive activities apply:

Time (Monday to Sunday)		Noise level at the notional boundary of a building housing any noise sensitive activities
1.	7.00am - 7.00pm	55 dB LAeq (15 min)
2.	7.00pm - 10.00pm	50 dB LAeq (15 min)
3.	10.00pm - 7.00am	45 dB LAeq (15 min) and 75 dB LAFmax

- b. Noise will be measured in accordance with NZS 6801:2008 Acoustics - Measurement of Environmental Sound

and assessed in accordance with NZS 6802:2008 Acoustics - Environmental Noise. **{TA 917.11 and others}**

- c. The live firing of weapons and explosive events and the firing of blank ammunition are exempt from this performance standard (see Rule 4.5.6).
- d. Military exercises that contravene this performance standard are a controlled activity.

#### **Rule 4.5.4.5 Helicopter Movements {TA 917.11 and others}**

- a. Helicopter movements must not result in a maximum sound level (LAFMax) exceeding 70 dB at night time (10.00pm - 7.00am) or 90 dB during daytime (7.00am - 10.00pm) within any site in a residential zone or within the notional boundary to any noise sensitive activity in rural zones, rural residential zones or the Ashburn Clinic Zone.
- b. Helicopter noise will be measured and assessed in accordance with NZS6807:1994 Noise Management & Land Use Planning For Helicopter Landing Areas.
- c. Helicopter movements for emergency services are exempt from this standard
- d. Activities that contravene this performance standard by less than 5dB LAeq (15 min) are discretionary activities.
- e. Activities that contravene this performance standard by 5dB LAeq (15 min) or more are non-complying activities.

#### **4.5.5 Notice to DCC (Military Exercises)**

1. A noise management plan must be provided to the DCC's Environmental Health Department at least 48 hours prior to the commencement of a military exercise involving weapons firing and/or the use of explosives, detailing:
  - a. whether the activity involves live firing and/or the use of explosives, or the firing of blank ammunition;
  - b. the location of the activity and the boundaries within which the activity will take place;
  - c. the timing and duration of the activity; and
  - d. distances to buildings housing noise sensitive activities, the potential effect on these activities, and where there is a potential effect, how property occupants will be notified of the military exercise (e.g. leaflet drop, letters, notice in newspaper).
2. Military exercises that contravene this performance standard are a controlled activity.

#### **4.5.6 Setbacks (Military Exercises)**

1. Military exercises involving weapons firing and/or the use of explosives must be set back from the notional boundary of any building housing noise sensitive activities as follows:

Activity type		i. Time (Monday to Sunday)	ii. Minimum setback distance
a.	Live firing of weapons or explosives	7.00am - 7.00pm	1500m
b.	Live firing of weapons or explosives	7.00pm - 7.00am	4500m
c.	Firing of blank ammunition	7.00am - 7.00pm	750m
d.	Firing of blank ammunition	7.00pm - 7.00am	2250m

- e. Except where:
  - i. peak sound pressure level is below 120 dBC between the hours of 7am and 7pm; and
  - ii. peak sound pressure level is below 90 dBC between the hours of 7pm and 7am.

- f. Activities that contravene this performance standard are controlled activities.

#### **4.5.7 Number, Location and Design of Temporary Signs**

##### **4.5.7.1 General**

- a. Temporary signs visible from a public place must meet all of the following performance standards;
- b. Temporary signs must not be illuminated (internally or externally), digital, or projected; and
- c. Signs must also comply with:
  - i. Rule 6.7.2 where located on or above public footpaths **{TA cl.16}**; and
  - ii. Rule 6.7.3, where visible from the road.
- d. Signs that contravene the performance standard for number, location and design of ancillary signs are restricted discretionary activities. **{PO cl.16}**

##### **4.5.7.2 Election signs**

- a. Signs must be erected no more than two months prior to election or polling **{TA cl.16}** day and must be removed by midnight prior to election or polling **{TA cl.16}** day.
- b. Signs on a site **{TA cl.16}** must not exceed a maximum number of:
  - i. one per site for any **{TA cl.16}** candidate or group of candidates for local authority elections and referenda; **{TA cl.16}** and
  - ii. one per site for any **{TA cl.16}** registered political party, independent or non-party affiliated candidate, for parliamentary general **{TA cl.16}** elections; and
- c. Signs must not exceed:
  - i. a maximum height of 2m above ground level; and
  - ii. a maximum area of 3m<sup>2</sup> on DCC or New Zealand Transport Agency land within the road reserve; **or {TA 881.48 and others}**
  - iii. 1m<sup>2</sup> on all other sites. **{TA 881.48 and 1083.1}**
- d. For the purpose of Rule 4.5.7.2 'local election' refers to elections for City or Regional Council, District Health Board or a community board; and 'general election' refers to elections for the New Zealand Government. **{TA cl.16}**

##### **4.5.7.3 Temporary eEvent promotion **{TA cl.16}** signs**

- a. Signs must not be erected more than 21 days before an event and must be removed within 3 days of the completion of the event;
- b. Signs must be designed such that any names of sponsoring businesses are no more than 50% of the size of the font used for advertising the event;
- c. Signs must not exceed:
  - i. a maximum height of 2m above ground level;
  - ii. a maximum area of:
    1. 3m<sup>2</sup> on DCC or New Zealand NZ **{Trans 881.17}** Transport Agency land within the road reserve; or
    2. 1m<sup>2</sup> on all other sites; and
  - iii. for signs outside the road reserve:

1. only one sign is allowed to be displayed on a property site **{TA cl.16}** at a time; and
  2. the total display time of all signs must not exceed 30 days in any calendar year.
- d. Event promotion signs on lawfully established public display boards are exempt from these standards. **{TA cl.16}**

#### 4.5.7.4 Real estate signs

- a. Signs must not exceed the following maximum numbers **{TA cl.16}**:
  - i. ~~one per property, or a maximum of one sign per site; **{TA cl.16}**~~
  - ii. on sites with a street frontage greater than 500m, a maximum of **{TA cl.16}** one sign for every 500m of frontage; and
  - iii. in the CBD, real estate signs in windows and below verandas (including in windows), ~~must not exceed a maximum of **{TA cl.16}**~~ one sign **{TA cl.16}** per real estate agent/company.
- b. Open home signs and auction signs are exempt from the maximum number of signs.
- c. The maximum display time for real estate signs is:
  - i. open home signs must only be displayed for the duration of the open home;
  - ii. auction signs must be displayed for no more than 14 days before the auction and 3 days after the auction; or
  - iii. all real estate signs must be removed within three days after the sale of the property.
- d. The maximum size and location of signs is:
  - i. auction signs must not exceed 2m<sup>2</sup> per display face;
  - ii. all other signs must not exceed a maximum area of 1m<sup>2</sup> per display face and a maximum of two display faces
- e. All real estate signs must be located on, or adjacent to, the property site **{TA cl.16}** to which they relate.

<sup>1</sup> **TA cl.16:** Amended to improve clarity.

#### 4.5.7.5 Construction signs

1. Construction signs: **{TA cl.16}**
  - a. must not exceed a total area for all signs of 4m<sup>2</sup> per site;
  - b. must not be displayed for more than 10 days before commencement of construction and must be removed within three days after the completion of construction; and
  - c. must be located on the site where the construction activity is occurring.

#### **Note 4.5B.7A - Other requirements outside of the District Plan**

1. Permission must be obtained from the Dunedin City Council (DCC) for the erection of temporary signs (except real estate signs) on DCC land, including reserves and roads, please contact 03 477 4000 or visit the DCC website [www.dunedin.govt.nz](http://www.dunedin.govt.nz) for more information.
2. Permission must be obtained from the New Zealand NZ **{Trans 881.17}** Transport Agency for erection of temporary signs within state highway road reserve.
3. Approved election sign sites where the DCC give approval for the erection of signs are published on the DCC website [www.dunedin.govt.nz](http://www.dunedin.govt.nz).

#### **4.5.8 Light Spill**

Temporary activities must comply with Rule 9.3.5.

#### **4.5.9 Hazard Overlay Zones Development Standards {Confirmed for deletion - TA 583.9}**

~~4.9.5.1 Hazard exclusion areas (swale mapped area)~~

~~Buildings and structures associated with temporary activities must comply with Rule 11.3.1.1. {TA 583.9}~~

## **Rule 4.6 Assessment of Controlled Activities (Performance standard contraventions)**

### **Rule 4.6.1 Introduction**

1. Controlled activities will be assessed in accordance with section 104 and 104A of the RMA. Council must grant the application and may impose conditions with respect to matters over which it has reserved its control.
2. Rule 4.6.2:
  - a. lists the matters over which Council has reserved its control; and
  - b. provides guidance on how consent applications will be assessed, including:
    - i. relevant objectives and policies, with respect to s104(1)(b)(vi); and
    - ii. conditions that may be imposed.
3. ~~Where a controlled activity does not meet a performance standard the following occurs: {TA cl.16<sup>1</sup>}~~
  - a. ~~if the contravention of the performance standard defaults to **restricted discretionary** (which is the case, unless otherwise indicated in the performance standard) then:~~
    - i. ~~the activity, as a whole, will be treated as **restricted discretionary**;~~
    - ii. ~~the matters of discretion are expanded to include the areas of non-compliance with the performance standard;~~
    - iii. ~~the performance standard contravention will be assessed as indicated in Section 4.7; and~~
    - iv. ~~the matters of control become matters of discretion and will be assessed as indicated in this section.~~
  - b. ~~if the contravention of the performance standard defaults to **discretionary** then:~~
    - i. ~~the activity, as a whole, will be treated as **discretionary**;~~
    - ii. ~~the performance standard contravention will be assessed as indicated in Section 4.9; and~~
    - iii. ~~the assessment guidance in this section will also be considered.~~
  - c. ~~if the contravention of the performance standard defaults to **non-complying** then:~~
    - i. ~~the activity, as a whole, will be **non-complying**;~~
    - ii. ~~the performance standard contravention will be assessed as indicated in Section 4.10; and~~
    - iii. ~~the assessment guidance in this section will also be considered.~~

<sup>1</sup> **TA cl.16:** There are no controlled activity status temporary activities.



#### 4.6.2 Assessment of controlled performance standard contraventions

Performance standard	Matters of control	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> <li>Noise (military exercises)</li> <li>Notice to DCC (military exercises)</li> <li>Setbacks (military exercises)</li> </ul>	a. Effects on <u>amenity</u> of surrounding sites' <u>amenity</u> <b>{TA cl.16}</b> b. Effects <b>{TA cl.16}</b> on health and safety	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. Temporary activities are designed and operated in a way that minimises <u>as far as practicable</u> <b>{PO 906.34 and 308.497}</b> effects on:               <ul style="list-style-type: none"> <li>1. the amenity of surrounding properties; and</li> <li>2. the health and safety of people (Policy 4.2.1.1a and b).</li> </ul> </li> </ul> <p><i>Conditions that may be imposed to ensure these outcomes include, but are not limited to:</i></p> <ul style="list-style-type: none"> <li>iii. Higher noise levels may be restricted to short durations during daytime hours, or hours agreed with affected neighbours.</li> <li>iv. <del>Potentially affected neighbours to be advised and consulted with prior to the activity taking place.</del> <b>{TA cl.16}</b></li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>v. The assessment of an application for military exercises that contravenes the noise (military exercises) performance standard Rule 4.5.4.4 will consider the findings of a noise management plan (see Special Information Requirements - Rule 4.11.1).</li> </ul>

## **Rule 4.7 Assessment of Restricted Discretionary Activities (Performance Standard Contraventions)**

### **Rule 4.7.1 Introduction**

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rule 4.7.2:
  - a. lists the matters Council will restrict its discretion to; and
  - b. provides guidance on how consent applications will be assessed, including:
    - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
    - ii. potential circumstances that may support a consent application;
    - iii. general assessment guidance; and
    - iv. conditions that may be imposed.

<b>4.7.2 Assessment of all performance standard contraventions</b>			
Performance standard		Matters of discretion	Guidance on the assessment of resource consents
1.	All performance standard contraventions		<p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> <li>i. The degree of non-compliance with the performance standard is minor.</li> </ol> <p><i>General assessment guidance:</i></p> <ol style="list-style-type: none"> <li>ii. Where more than one standard is contravened, the combined effects of the contraventions should be considered.</li> <li>iii. In assessing performance standard contraventions, consideration will be given to all relevant assessment guidance in the underlying zone.</li> </ol>
2.	Development standards	See relevant zone for assessment of restricted discretionary activities (performance standard contraventions).	
3.	Hours of operation	<ol style="list-style-type: none"> <li>a. Effects on <u>amenity of surrounding sites</u> <b>amenity {TA cl.16}</b></li> <li>b. Effects on health and safety</li> </ol>	<p><i>Relevant objectives and policies:</i></p> <ol style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. Temporary activities are designed and operated in a way that minimises, <u>as far as practicable</u>, <b>{PO 906.34 and 308.497}</b> effects on:               <ol style="list-style-type: none"> <li>1. the amenity of surrounding properties; and</li> <li>2. people's health and safety (Policy 4.2.1.1a <del>and b</del> <b>{TA cl.16}</b>).</li> </ol> </li> </ol> <p><i>Potential circumstances that may support a consent application include:</i></p> <ol style="list-style-type: none"> <li>iii. The extension of hours will not result in unreasonable disturbance from vehicle headlights, vehicle movements, or noise.</li> </ol>

#### 4.7.2 Assessment of all performance standard contraventions

Performance standard	Matters of discretion	Guidance on the assessment of resource consents
4. Maximum duration, frequency, and site restoration	<p>a. Effects on <u>amenity of surrounding sites</u> <b>amenity {TA cl.16}</b></p> <p>b. Effects on health and safety</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. Temporary activities are designed and operated in a way that minimises, <u>as far as practicable</u>, <b>{PO 906.34 and 308.497}</b> effects on: <ul style="list-style-type: none"> <li>1. the amenity of surrounding properties; and</li> <li>2. people's health and safety (Policy 4.2.1.1).</li> </ul> </li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. The extension of duration or frequency will not result in unreasonable disturbance from extended periods of noise or vehicle movements.</li> </ul> <p><i>General assessment guidance:</i></p> <ul style="list-style-type: none"> <li>iv. Council will assess the noise effects of helicopter movements in accordance with the standards set out in NZS6807:1994 <i>Noise Management and Land Use Planning for Helicopter Landing Areas</i> <b>{TA 917.11 and others}</b></li> </ul>
5. Number, location, and design of temporary signs	<p>a. Effects on neighbourhood character and <u>streetscape</u> <b>{TA cl.16}</b> amenity</p> <p>b. Effects on the safety and efficiency of the transport network</p>	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. Temporary signs are located and designed to minimise <u>as far as practicable</u> <b>{PO 906.34 and 308.497}</b> adverse effects on streetscape amenity (Policy 4.2.1.2.a).</li> </ul> <p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. Temporary signs are located and designed to minimise <u>as far as practicable</u> <b>{PO 906.34 and 308.497}</b> adverse effects on the safety and efficiency of the transport network (Policy 4.2.1.2.b).</li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. The location of the sign will not obscure sightlines, pedestrians, and cyclists or vehicle access.</li> <li>iv. The relevant road controlling authority has provided approval for the proposed design and location of the sign.</li> </ul>
6. In a <b>swale mapped area:</b> hazard exclusion areas <b>{TA 583.9}</b>	a. Risk from natural hazards	See Rule 11.4

## **Rule 4.8 Assessment of Restricted Discretionary Activities**

### **Rule 4.8.1 Introduction**

1. Restricted discretionary activities will be assessed in accordance with section 104 and 104C of the RMA, meaning only those matters to which Council has restricted its discretion will be considered, and Council may grant or refuse the application, and, if granted, may impose conditions with respect to matters over which it has restricted its discretion.
2. Rule 4.8.2:
  - a. lists the matters Council will restrict its discretion to; and
  - b. provides guidance on how a consent application will be assessed, including:
    - i. relevant objectives and policies, with respect to s104(1)(b)(vi);
    - ii. potential circumstances that may support a consent application;
    - iii. general assessment guidance; and
    - iv. conditions that may be imposed.
3. Where a restricted discretionary activity does not meet a performance standard the following occurs:
  - a. if the contravention of the performance standard defaults to **restricted discretionary** ~~(which is the case, unless otherwise indicated in the performance standard)~~ **{PO cl.16}** then:
    - i. the activity, as a whole, will be treated as **restricted discretionary**;
    - ii. the matters of discretion are expanded to include the areas of non-compliance with the performance standard;
    - iii. the performance standard contravention will be assessed as indicated in Section 4.7; and
    - iv. the matters of discretion in this section will be assessed as indicated.
  - b. if the contravention of the performance standard defaults to **discretionary** then:
    - i. the activity, as a whole, will be treated as **discretionary**;
    - ii. the performance standard contravention will be assessed as indicated in Section 4.9;
    - iii. the assessment guidance in this section will also be considered.
  - c. if the contravention of the performance standard defaults to **non-complying** then:
    - i. the activity, as a whole, will be **non-complying**;
    - ii. the performance standard contravention will be assessed as indicated in Section 4.10; and
    - iii. the assessment guidance in this section will also be considered.

#### 4.8.2 Assessment of restricted discretionary activities

Activity	Matters of discretion	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> <li>Filming - large scale</li> <li>Temporary events - large scale</li> </ul>	a. Effects on amenity	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. <u>Temporary events - large scale and filming - large scale are located and operated to ensure Any {PO cl.16} adverse effects on the transport network amenity {TA cl.16} can will {PO cl.16} be avoided or, if avoidance is not possible practicable {PO 908.3 and others}, adequately mitigated (Policy 4.2.1.3).</u></li> </ul> <p><i>Potential circumstances that may support a consent application include:</i></p> <ul style="list-style-type: none"> <li>iii. A traffic management plan has been approved by the DCC (or New Zealand <u>NZ</u> {Trans 881.17} Transport Agency where relevant).</li> </ul>
	b. Effects on the safety and efficiency of the transport network	<p><i>Relevant objectives and policies:</i></p> <ul style="list-style-type: none"> <li>i. Objective 4.2.1</li> <li>ii. <u>Temporary events - large scale and filming - large scale are located and operated to ensure Any {PO cl.16} adverse effects on the transport network can will {PO cl.16} be avoided or, if avoidance is not possible practicable {PO 908.3 and others}, adequately mitigated (Policy 4.2.1.3).</u></li> </ul>

**TA cl.16:** As a clause 16 amendment this corrects errors and aligns with the matter of discretion with the correct policy wording.

## Rule 4.9 Assessment of Discretionary Activities

### Rule 4.9.1 Introduction

1. Discretionary activities will be assessed in accordance with section 104 and 104B of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rule 4.9.2 provides guidance on how a consent application for the listed discretionary activities will be assessed, including:
  - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi);
  - b. potential circumstances that may support a consent application;
  - c. general assessment guidance, including any effects that will be considered as a priority; and
  - d. conditions that may be imposed.

#### 4.9.2 Assessment of all discretionary performance standard contraventions

Activity	Guidance on the assessment of resource consents
1. <ul style="list-style-type: none"> <li>• Noise - where the noise limit is exceeded by less than 5dB LAeq (15 min)</li> <li>• Light spill - where the limit is exceeded by 25% or less</li> </ul>	<i>Relevant guidance from other sections (priority considerations):</i> <ol style="list-style-type: none"> <li>a. See Section 9.6 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and effects related to public health and safety.</li> </ol>

## **Rule 4.10 Assessment of Non-complying Activities**

### **Rule 4.10.1 Introduction**

1. Non-complying activities will be assessed in accordance with section 104, 104B and 104D of the RMA meaning Council may grant or refuse the application, and, if granted, may impose conditions.
2. Rule 4.10.2 provides guidance on how a consent application for the listed non-complying activities will be assessed, including:
  - a. relevant objectives and policies that will be considered as a priority with respect to s104(1)(b)(vi); and
  - b. general assessment guidance, including any effects that will be considered as a priority.

<b>4.10.2 Assessment of non-complying performance standard contraventions</b>		
Performance standard		Guidance on the assessment of resource consents
1.	<ul style="list-style-type: none"> <li>• Noise - limit is exceeded by 5dB LAeq (15 min) or more</li> <li>• Light spill - where the limit is exceeded by greater than 25%</li> </ul>	<p><i>Relevant guidance from other sections (priority considerations):</i></p> <ol style="list-style-type: none"> <li>a. See Section 9.7 for guidance on the assessment of resource consents in relation to Objective 9.2.2 and the effects related to public health and safety.</li> </ol>



## **Rule 4.11 Special Information Requirements**

### **4.11.1 Noise management plan**

All resource consent applications for military exercises which do not comply with Rule ~~4.5.4.4~~ 4.5.6 **{TA 917.12}** must be accompanied by a noise management plan prepared by a suitably qualified expert. The noise management plan must contain:

1. a description of the site and activity including times, dates, nature and location of the proposed training activities;
2. a map showing potentially affected noise sensitive activities and predicted LCpeak **{TA 917.12}** sound pressure levels for each of these receiver **{TA 917.12}** locations and a programme for notification and communication with the occupiers of those sites prior to the activities commencing, including updates during the event;
3. methods to minimise the noise disturbance at sites housing noise sensitive activities; and
4. the method for following up any complaints received during or after the event, and any proposed debriefing meetings with the DCC.

