

Before the Independent Hearing Panel
Appointed by the Timaru District Council

Under Schedule 1 of the Resource Management Act 1991 (**RMA**)

In the matter of Submissions on the Proposed Timaru District Plan

Between **Various**

Submitters

And **Timaru District Council**

Respondent

Rachael Williams (Wilcox) – Hearing F – Interim reply

**Earthworks, Relocated Buildings and Shipping Containers, Signs and
Temporary Activities Chapters**

6 June 2025

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**anderson
lloyd.**

Introduction

- 1 My name is Rachael Williams (Wilcox). I am a Senior Policy Planner at the Timaru District Council. I prepared the s42A report on the Earthworks (EW), Relocated Buildings and Shipping Containers (RELO), Signs (SIGN) and Temporary Activities (TEMP) chapters. I confirm that I have read all the submissions, further submissions, submitter evidence and relevant technical documents and higher order objectives relevant to my s42A report. I have the qualifications and experience as set out in my s42A report.
- 2 The purpose of this statement is to:
 - (a) respond to direction contained in Hearing Panel Minute 34; and
 - (b) provide an interim reply to the matters raised in evidence before the Proposed District Plan (PDP) Hearings Panel on the EW, RELO, SIGN and TEMP chapters.
- 3 A final reply responding to the unresolved matters will be provided to the Hearing Panel at the conclusion of the hearing process.
- 4 The table attached at **Appendix A** contains my updated recommendations, including reasons, having regard to all of the evidence given by submitters before, during and after Hearing F. That table also includes a section 32AA assessment for all amendments recommended since my section 42A report was published.
- 5 Marked up versions of the EW, RELO, SIGN and TEMP chapters containing my updated recommendations are **attached** at **Appendix B**.

Panel directions – Minute 34

- 6 The Panel has asked me to address the following specific question:
 - (a) *Provide recommended amendments through an agreed set of provisions that responds to the issues raised so the package of sign rules and related definitions are fit for purpose and do not inadvertently capture 'non advertising; business site identification and wayfinding related signage.*
- 7 Based on this direction, I have liaised with Mr. Pearson and Mr. Church (on behalf of NZTA) and Ms. Seaton (on behalf of PrimePort). Fonterra was grateful for the invitation to be involved but decided not to participate as they are largely comfortable with the SIGN chapter (as recommended).

- 8 The agreed set of provisions and reasons for them are set out in **Appendix A.**
- 9 Other issues raised in evidence are also addressed in the updated issues table **attached** at **Appendix A.**

Rachael Williams (Wilox)

6 June 2025

APPENDIX A

Issues Raised in Evidence / Submitter Presentations

Earthworks, Relocated Buildings and Shipping Containers, Signs and Temporary Activities chapters Earthworks, Relocated Buildings and Shipping Containers, Signs and Temporary Activities Chapters – Hearing F

Note:

- 1 *Status: The status of the issue reflects my understanding of the status of resolution as between those submitters who pre-circulated evidence for Hearing F. It does not attempt to reflect whether the issue is agreed between submitters who did not pre-circulate evidence for Hearing F.*
- 2 *Status: An asterisk (*) against the status denotes where I have made an assumption based on the amendments I have recommended. However, I am not certain as to that status because the amendments I have recommended are different to that sought by the submitter.*
- 3 *Relevant submitters: Relevant submitters are those who pre-circulated evidence for Hearing F. Other submitters who did not pre-circulate evidence may be interested in the issue (as submitters in their own right, or as further submitters) but they have not been listed here.*
- 4 *Orange shading identifies matters still outstanding; Green shading identifies matters resolved since my s42A summary.*

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
Relationship between the EW and EI and TRAN chapters	EW-O1 and EW-R1.c		OWL [181] Statement of Evidence of Julia Crossman paragraphs 4.28 to 4.31	<p><u>EW-O1</u> OWL [181] made a further submission in support of the primary submission from Waka Kotahi [143.103] which, requested that regionally significant infrastructure (RSI) be expressly provided for in EW-O1:</p> <p><i>EW-O1 Earthworks activity</i> <i>Earthworks facilitate subdivision, and the use and development of the Districts land resource including regionally significant infrastructure, while ensuring that its adverse effects on the surrounding environment are avoided or mitigated.</i></p> <p>In my s42A report, I rejected the submission from Waka Kotahi for the following reasons:</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
				<p>a) EW-O1, in my view, already captures RSI by facilitating earthworks for the subdivision, use and development of land.</p> <p>b) infrastructure is largely excluded from the earthwork’s rule/standards via EW-R1.c; and</p> <p>c) the objectives and policies in the EI and TRAN chapters, in my view, will apply to RSI even if they do not specifically refer to earthworks.</p> <p>Ms. Crossman, in her evidence, is somewhat confused by my reasoning and seeks clarity regarding the relationship between the EW and EI and TRAN chapters. In her opinion, if the EW chapter does not apply to RSI, then explicit reference to such activity is not required in EW-O1. However, if this is not the case, she considers it appropriate for RSI to be expressly provided for in EW-O1 as sought by Waka Kotahi.</p> <p>EW-R1.c, in my view, does not exclude all RSI from EW-R1. The exclusion (based on Mr. Willis recommended amendments), in my opinion, only applies to infrastructure (as defined in the PDP) that is identified as a permitted or restricted discretionary activity in the EI and TRAN chapters. RSI that is not listed as a permitted or restricted discretionary activity in the EI and TRAN chapters, in my view, is subject to EW-R1 and the earthwork standards.</p> <p>As indicated in my Summary Statement, following the close of Hearing F I have reviewed the relationship between the EW and EI and TRAN provisions (with input of Mr. Willis) to identify which, specific rules and activities in the EI and TRAN chapters are excluded from EW-R1. Based on this review, I recommend that EW-R1.c is amended as follows:</p> <p><i>c. for infrastructure that is identified as permitted, <u>controlled or restricted discretionary in Sections A, B, C and E to Sections G</u></i></p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
				<p><i>of the Energy, and Infrastructure chapter and in TRAN-R1 to TRAN-R5 and TRAN-R89 of the Transport chapters of the Plan.</i></p> <p>The reasons for this are follows:</p> <ul style="list-style-type: none"> • The rules in Section D (National Grid) and Section G (Timaru Airport) of the EI Chapter do not specifically relate to the provision of infrastructure. Both sections contain rules to protect RSI (i.e., the National Grid and Timaru Airport) from inappropriate use and development. In my view, Section D and Section G are therefore not excluded from EW-R1. • Section F of the EI Chapter relates to amateur radio operators. Amateur radio operators do not fit within the definition of network utility operator under the RMA and are not classified as infrastructure in the PDP. In my view, Section F is therefore not excluded from EW-R1. • TRAN-R6 (Vehicle parking and manoeuvring areas) and TRAN-R9 (Installation of new or replacement charging facilities for electric vehicles), in my opinion, do not meet the definition of infrastructure or land transport infrastructure in the PDP. In my view, these rules are therefore not excluded from EW-R1. • TRAN-R7, in my view, does not relate to the provision of infrastructure and is intended to manage development in proximity to road-rail level crossings. In my view, activities managed under TRAN-R7 are therefore not excluded from EW-R1. • TRAN-R10 and TRAN-RX relate to high trip generating activities and heavy trip generating activities and do not relate to the provision of infrastructure. In my view, these rules are therefore not excluded from EW-R1. • In my view, it is appropriate for EW-R1.c to include controlled activities as TRAN-R4 (Vehicle crossings) includes a controlled activity rule for vehicle crossings at a specific GIZ site between Tiplady Road and Winchester Geraldine Road.

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				<p>The purpose of this rule is to limit the number of vehicle crossings located at this site, with the activity status changing to restricted to discretionary if there are more than two vehicle crossings per road frontage. In my view, there is no effects-based reason why vehicle crossings (assessed as a controlled activity) at this site should be subject to EW-R1 when all other vehicle crossings in the PDP (including vehicle crossings that do not comply with the controlled activity status requirements) are excluded from EW-R1.</p> <p>Nevertheless, I do not agree with Ms, Crossman that RSI needs to be expressly provided for in EW-O1 for the reasons specified in my s42A report.</p> <p>Matters of Discretion and Matters of Control in the EI and TRAN Chapters</p> <p>As part of my review of the relationship between the EW and EI and TRAN provisions, I have considered (with input of Mr. Willis) whether any additional matters of discretion or matters of control are needed in the EI and TRAN chapters to manage potential earthworks effects.</p> <p>Based on this review, a matter of discretion is recommended to be added to EI-R26 (Construction of above ground water systems infrastructure, including water supply, wastewater systems and stormwater infrastructure) as follows:</p> <p><u><i>x. dust nuisance, sedimentation, land instability, erosion and contamination effects.</i></u></p> <p>The recommended amendments to EI-R26 will be included in Mr. Willis’ Final Reply.</p>

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				<p>Mr. Willis and I do not consider any other matters of discretion or control to be necessary.</p> <p>I note that as part of the review of the relationship between the EW and EI and TRAN chapters, Mr. Willis has identified that EW-S1 includes matter of discretion relating to the impact of earthworks on overland flow paths. The effects of earthworks on overland flow paths are already managed by NH-R1. Clause 16(2) Amendments are therefore recommended to EW-S1 to remove these matters of discretion from the EW Chapter. A Clause 16(2) Amendment is also recommended to the matters of discretion in EW-S2 to remove the “<i>adverse effects on the margins of water bodies</i>”. Earthworks within the riparian margins of waterbodies are managed by provisions in the NATC chapter.</p>
EW chapter policies	EW-P1 and EW-P4	Resolved	<p>Transpower [159] Statement of Evidence of Rebecca Eng Attachment A</p> <p>OWL [181] Statement of Evidence of Julia Crossman Annexure B</p> <p>ECan [183] Statement of Evidence of Deidre Francis – Appendix 2</p> <p>KiwiRail [187] – Statement of Evidence Catherine</p>	

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
			<p>Lynda Heppelthwaite (6.0. i. and j.)</p> <p>BP Oil et al [196] Statement of Evidence of Thomas Trevilla Appendix A</p>	
EW-R1 (excluding EW-R1.c, EW-R1.e and EW-R1.h)	EW-R1	Resolved	<p>ECan [183] Statement of Evidence of Deidre Francis – Appendix 2</p> <p>KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.k)</p> <p>BP Oil et al [196] Statement of Evidence of Thomas Trevilla Appendix A</p>	
EW-R1.e and EW-R1.h	EW-R1.e and EW-R1.h	Outstanding	OWL [181] Statement of Evidence of Julia Crossman paragraphs 4.24 to 4.27	<p>EW-R1.e OWL [181.74] request amendments to EW-R1.e to exclude network operators of RSI undertaking earthworks required for natural hazard mitigation works in accordance with their</p>

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			<p>Fonterra [165] Statement of Evidence of Susannah Vrena Tait paragraphs 9.1 to 9.5</p>	<p>submissions to ECO-R2 and NH-R3 and to give recognition to the importance of RSI in the District.</p> <p>I maintain that an explicit exclusion for network utility operators is not appropriate in EW-R1.e as network utility operators do not have the same statutory responsibilities and public accountability as the Timaru District Council and Canterbury Regional Council. There are also potential risks from poorly constructed mitigation works. I therefore do not recommend any amendments to EW-R1.e at this time.</p> <p>However, it is my understanding that Mr. Willis, based on the evidence of OWL, is reconsidering NH-R3 (Natural hazard mitigation works within a Flood Assessment Area Overlay) and whether natural hazard mitigation works within the beds of surface waterbodies should be excluded from the rule where they are managed by the Canterbury Land and Water Regional Plan. If Mr. Willis does amend NH-R3 to exclude such works I consider it appropriate for EW-R1.e to align with the recommendations of Mr. Willis.</p> <p>EW-R1.h Ms. Tait in her evidence, has reservations about the workability of EW-R1.h. In her view, EW-R1.h does not account for instances where developers/landowners seek resource consent (if they need it) ahead of a building consent and could require developers/landowners to obtain resource consent for earthworks within the building footprint or within 2m of the outer edge of a building that will obtain building consent following the resource consent process. Ms. Tait therefore suggests that EW-R1.h is amended as follows:</p> <p><i>...[earthworks] within the building footprint, or within 2m of the outer edge of, a building that has building consent, <u>or will be</u></i></p>

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				<p><i>addressed as part of a building consent application process, and that complies with EW-S3.</i></p> <p>It is my understanding, that the EW exclusions have been purposely drafted to avoid duplication and consenting requirements for activities which, service a development or the community and could otherwise be carried out without a resource consent (i.e., are a permitted activity in the PDP). I therefore do not support the amendments sought by Ms. Tait as where resource consent for an activity is required, I consider it appropriate for the earthworks rule/standards to be assessed as part of the resource consent in order to achieve the EW chapter objective and policy direction. EW-R1, as notified, also allows Council to impose conditions (where a resource consent is required) to provide certainty that any earthworks associated with an activity will be effectively managed. I acknowledge that resource consent could be triggered for various reasons including setback and height breaches. I however consider it is appropriate to retain discretion to consider earthworks where resource consent is required. I therefore recommend that EW-R1.h is retained as notified.</p>
Maximum area thresholds in the EW Chapter	EW-S1	Resolved	<p>Fonterra [165] Statement of Evidence of Susannah Vrena Tait paragraphs 9.1 and 9.2</p> <p>BP Oil et al [196] Statement of Evidence of Thomas Trevilla Appendix A</p>	

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Earthworks in proximity to electricity distribution lines	EW-S5	Resolved* <i>I have recommend minor amendments to the layout of EW-S5 in my Summary Statement</i>	Transpower [159] Statement of Evidence of Rebecca Eng Attachment A	
Relocated buildings and shipping containers in the GIZ and PORTZ	RELO-R1 and RELO-R2	Resolved	<p>PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraphs 109 to 112</p> <p>PrimePort [175] – Statement of Evidence of Tony Cooper paragraphs 36 and 37</p> <p>PrimePort [175] – Legal Submissions of C O Carranceja paragraphs 10.1 and 10.2</p>	

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Official signs	SIGN-PX, SIGN-P1 and SIGN-R1	Resolved	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraph 4.4 (a)</p> <p>Transpower [159] Statement of Evidence of Rebecca Eng Attachment A</p> <p>Fonterra [165] Statement of Evidence of Susannah Vrena Tait – paragraph 13.1</p>	
Road safety effects	SIGN-P2	Resolved	KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.l)	
Activity status of off-site signs in the CMUZ, GIZ and PORTZ	SIGN-R4	Resolved	PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraph 103	

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Traffic safety standards	SIGN-S1 and SIGN-Table 27 (excluding SIGN-S1.4)	Resolved	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraph 4.4(b) and (c)</p> <p>Waka Kotahi [143] Statement of Evidence of Terry Phillip Church paragraph 7.4(a) and 7.4(d)</p> <p>KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.m)</p>	
Minimum separation distances between signs/proliferation of signs	SIGN-S1.4, SIGN-S6.1 and SIGN-Table 28	Resolved*	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraphs 4.7 – 4.15</p> <p>Waka Kotahi [143] Statement of Evidence of Terry Phillip Church –</p>	<p>The Hearing Panel in Minute 34 have asked for recommended amendments to the SIGN chapter through an agreed set of provisions that responds to the issues raised in evidence, so the package of sign rules and related definitions are fit for purpose and do not inadvertently capture non advertising business site identification and wayfinding related signage.</p> <p>Based on this direction, I have liaised with Mr. Pearson and Mr. Church on behalf of NZTA and Ms. Seaton on behalf of PrimePort. I note Fonterra was grateful for the invitation to be involved but decided not to participate as they are largely comfortable with the SIGN chapter (as recommended).</p>

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			<p>paragraphs 7.4(e) and 8.1 to 8.5</p> <p>Fonterra [165] - Statement of Evidence of Susannah Vrena Tait – paragraph 13.2</p> <p>PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraphs 106 - 108</p> <p>PrimePort [175] – Statement of Evidence of Tony Cooper paragraphs 18 to 23</p> <p>PrimePort [175] – Legal Submissions of C O Carranceja paragraphs 9.2 to 9.9</p>	<p>SIGN-S6 (as recommended) limits the number of freestanding signs in the CMUZ, GIZ and PORTZ to one freestanding sign per road frontage. The intent of this amendment was to allow all CMUZ, GIZ and PORTZ sites to have one freestanding advertising sign (emphasis added) per road frontage (regardless of the minimum separation distances specified in SIGN-Table 28). I did not intend for this standard to apply to non-advertising instructional signs or internal signs not visible from beyond the site.</p> <p>SIGN-S6 as notified, excludes ‘official signs’ and ‘temporary signs’ as defined in the PDP. An official sign in the PDP means:</p> <p><i>“all signs required or provided for under statute or regulation, or are otherwise related to aspects of public safety.” [emphasis added]</i></p> <p>Some non-advertising signs, in my view, are therefore already excluded from SIGN-S6 such as signs required under health and safety regulations. I, however, agree with Mr. Walsh (Paragraph 108 of his Statement of Evidence) that the definition of ‘official sign’, is unclear as to whether a directional/wayfinding sign is an ‘official sign’. The definition of ‘official sign’ in my view, would also not capture other non-advertising instructional signs such as signs identifying site entrances, exists and carparks or signs for security purposes.</p> <p>I therefore recommend that a new definition is included in the PDP as follows:</p> <p><u>Instructional sign</u> <u>Means any static sign on a site which primarily provides information or direction relating to wayfinding, instructions or warnings relevant to the site’s operations, including,</u></p>

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				<p><u><i>signs that identify business entrances, exits and carparks and signs for security purposes.</i></u></p> <p>Amendments to SIGN-S6 are then recommended to make it clear that ‘instructional signs’ are excluded from this standard. The recommended amendments to SIGN-S6 are set out in the Table below. I note that whether a sign meets the definition of ‘official sign’ or ‘instructional sign’ will need to be determined on a case-by-case basis.</p> <p>Mr. Pearson and Mr. Church, on behalf of NZTA, have reviewed and agree with the above recommendations. Ms. Seaton on behalf of PrimePort also agrees with the above recommendations in regards to the wider Port Zone. However, Ms Seaton considers it appropriate for there to be no limit on the number of signs in Precinct 7 (PREC7 – Port Operational Area Precinct) as this area encompasses the ports core operational harbour. In her opinion, it is therefore appropriate for PREC7 to have no limit on signs to provide certainty that signs in this area will not be inadvertently captured by SIGN-S6.</p> <p>I agree with Ms. Seaton that PREC7 requires a variety of non-advertising signs to support the efficient and effective operation of the harbour. Unlike other areas/operators PREC7 also contains multiple different land holdings/operators that support the operation of the port which, is recognised as regionally significant infrastructure. PREC7, in my view, is also relatively confined and is largely for port related activities that are not public facing. I am therefore comfortable with there being no limit on the number of signs in PREC7 as sought by Ms Seaton. I therefore recommend that SIGN-S6 is amended to make it clear that there is no limit on signs in PREC7. The recommended amendments to SIGN-S6 are set out in the Table below.</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply						
				<p>In my s42A report I recommended that SIGN-S6 is amended to limit the number of freestanding signs in the CMUZ, GIZ and PORTZ to one freestanding sign per road frontage. In my section 42A report I acknowledge that some sites, in the commercial and industrial zones, may be large enough to meet the minimum separation distances in SIGN-Table 28 (as notified) to warrant additional signage. However, I did not recommend any amendments to SIGN-S6 as, in my view, this was likely be rare given the minimum separation distances specified.</p> <p>On reflection and based on the evidence of PrimePort (Evidence of Timothy (Tim) Walsh, paragraphs 106 – 108), I now consider it appropriate to allow multiple freestanding signs to be established in the CMUZ, GIZ and PORTZ (outside PREC7) where the minimum setback distances within a site are complied with. For the avoidance of doubt, I also recommend that an additional clause is added to SIGN-S6 to make it clear that there is no limit on the number of signs in the CMUZ, GIZ and Port Zone where they are not visible from beyond the site.</p> <p>Having regard to the above, I recommend that SIGN-S6 is amended as follows:</p> <table border="1" data-bbox="1317 1042 2123 1380"> <tr> <td data-bbox="1317 1042 1541 1134">SIGN-S6</td> <td data-bbox="1541 1042 2123 1134">Maximum number of signs (not including Official signs, <u>Instructional signs</u> and Temporary signs)</td> </tr> <tr> <td data-bbox="1317 1134 1541 1230">Commercial and Mixed Use zones</td> <td data-bbox="1541 1134 2123 1230"><u>1. There shall be no limit on the number of signs that are not visible from beyond the site;</u></td> </tr> <tr> <td data-bbox="1317 1230 1541 1380">General Industrial Zone</td> <td data-bbox="1541 1230 2123 1380"><u>2. For signs visible from beyond the site there shall be no limit more than one freestanding sign per road frontage located on a site; or</u></td> </tr> </table>	SIGN-S6	Maximum number of signs (not including Official signs, <u>Instructional signs</u> and Temporary signs)	Commercial and Mixed Use zones	<u>1. There shall be no limit on the number of signs that are not visible from beyond the site;</u>	General Industrial Zone	<u>2. For signs visible from beyond the site there shall be no limit more than one freestanding sign per road frontage located on a site; or</u>
SIGN-S6	Maximum number of signs (not including Official signs, <u>Instructional signs</u> and Temporary signs)									
Commercial and Mixed Use zones	<u>1. There shall be no limit on the number of signs that are not visible from beyond the site;</u>									
General Industrial Zone	<u>2. For signs visible from beyond the site there shall be no limit more than one freestanding sign per road frontage located on a site; or</u>									

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				<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> <p><u>Clandeboye Manufacturing Zone</u></p> <p><u>Port Zone (excluding PREC7 – Port Operational Area Precinct)</u></p> </td> <td style="width: 50%; padding: 5px;"> <p><u>3. Multiple freestanding signs may be located per road frontage where the minimum setback distance between signs within the site (excluding official signs, instructional signs and temporary signs) as read from one direction and measured parallel to the centre line of the road in Table 28 – Separation distances are complied with.</u></p> <p><u>Note: A freestanding sign may advertise multiple premises located on the site.</u></p> </td> </tr> <tr> <td style="width: 50%; padding: 5px;"> <p><u>PREC7 – Port Operational Area Precinct</u></p> </td> <td style="width: 50%; padding: 5px;"> <p><u>4. There shall be no limit.</u></p> </td> </tr> </table> <p>In terms of Section 32AA, the recommend amendments in my view, will remain effective at achieving SIGN-O1, SIGN-P1 and SIGN-P2 by managing the proliferation of signs in all zones while being more efficient by making it clear that SIGN-S6 does not apply to non-advertising instructional signs, signs not visible from beyond the site or PREC7 and by allowing additional freestanding signs to be established where the minimum separation distance in SIGN-Table 28 are complied with.</p> <p>SIGN-S1.4 Mr. Church, in paragraph 8.4 of his evidence considers it appropriate in rural high-speed environments (speed limits of 70km/h or more) for the separation distances between advertising signs in SIGN-S1.4 to remain in the PDP as the consequence of distraction in higher speed environments can be fatal. Mr. Church, therefore, recommends that SIGN-S1.4 is retained in the PDP but is amended as follows:</p>	<p><u>Clandeboye Manufacturing Zone</u></p> <p><u>Port Zone (excluding PREC7 – Port Operational Area Precinct)</u></p>	<p><u>3. Multiple freestanding signs may be located per road frontage where the minimum setback distance between signs within the site (excluding official signs, instructional signs and temporary signs) as read from one direction and measured parallel to the centre line of the road in Table 28 – Separation distances are complied with.</u></p> <p><u>Note: A freestanding sign may advertise multiple premises located on the site.</u></p>	<p><u>PREC7 – Port Operational Area Precinct</u></p>	<p><u>4. There shall be no limit.</u></p>
<p><u>Clandeboye Manufacturing Zone</u></p> <p><u>Port Zone (excluding PREC7 – Port Operational Area Precinct)</u></p>	<p><u>3. Multiple freestanding signs may be located per road frontage where the minimum setback distance between signs within the site (excluding official signs, instructional signs and temporary signs) as read from one direction and measured parallel to the centre line of the road in Table 28 – Separation distances are complied with.</u></p> <p><u>Note: A freestanding sign may advertise multiple premises located on the site.</u></p>							
<p><u>PREC7 – Port Operational Area Precinct</u></p>	<p><u>4. There shall be no limit.</u></p>							

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				<p>4. All signs within 10 horizontal metres of a road <u>designed to be read by motorists on a road with a posted speed limit of 70km/h or more</u> must comply with the minimum separation distances from other signs as read from one direction and measured parallel to the centre line of the road in Table 28 – Separation distances.</p> <p>Based on the evidence of Mr. Church, I am comfortable with SIGN-S1.4 being retained in the PDP. However, the amendments sought by Mr. Church would also capture the Washdyke GIZ, that has a posted speed limit of 70km/h, and the Clandeboye Manufacturing Zone. In my opinion, signs in these areas are generally anticipated (i.e., expected by drivers) given the existing (and anticipated) industrial and commercial activities in these locations. In my opinion, the proliferation of signs in these zones is therefore more appropriately managed via SIGN-S6 (Maximum number of signs).</p> <p>I therefore recommend that SIGN-S1.4 is retained in the PDP but only applies to rural high-speed roads (as sought in paragraph 8.4 of Mr. Church evidence):</p> <p>4. All signs in rural zones within 10 horizontal metres of a road <u>designed to be read by motorists on a road with a posted speed limit of 70km/h or more</u> must comply with the minimum separation distances from other signs as read from one direction and measured parallel to the centre line of the road in Table 28 – Separation distances.</p> <p>Mr. Pearson and Mr. Church have reviewed my recommended amendments to SIGN-S1.4 and do not have any concerns.</p> <p>In terms of Section 32AA, I consider that recommended amendments to SIGN-S1.4 to be more effective at achieving</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply												
				<p>SIGN-O1.3 (by managing the proliferation of signs on roads with a posted speed limit of 70km/hr or more) while remaining more efficient by only capturing signs in rural zones where signs are less likely to anticipated by drivers.</p> <p>SIGN-Table 28 As I am now recommending that SIGN-Table 28 is retained in the PDP, I agree with Waka Kotahi [143.130] and Mr. Church (paragraph 8.5 of his evidence) that SIGN-Table 28 should be updated to reflect Table 5.3 of the New Zealand Transport Agency Traffic Control Devices Manual as follows:</p> <p>Table 28 – <u>Minimum Separation distances between signs</u></p> <table border="1" data-bbox="1317 794 2123 1018"> <thead> <tr> <th data-bbox="1317 794 1720 858">Regulatory speed limit (km/hr)</th> <th data-bbox="1720 794 2123 858">Separation distance (m)</th> </tr> </thead> <tbody> <tr> <td data-bbox="1317 858 1720 890">50</td> <td data-bbox="1720 858 2123 890">50</td> </tr> <tr> <td data-bbox="1317 890 1720 922">60</td> <td data-bbox="1720 890 2123 922">55</td> </tr> <tr> <td data-bbox="1317 922 1720 954">0-70</td> <td data-bbox="1720 922 2123 954">60</td> </tr> <tr> <td data-bbox="1317 954 1720 986">71-80</td> <td data-bbox="1720 954 2123 986">70</td> </tr> <tr> <td data-bbox="1317 986 1720 1018">81-100</td> <td data-bbox="1720 986 2123 1018">80</td> </tr> </tbody> </table> <p>In terms of Section 32AA, the recommended amendments to SIGN-Table 28, in my view, are more efficient (by reducing the minimum separation distance between signs on roads with a speed limit less than 70m) while remaining effective at achieving SIGN-O1, SIGN-P1 and SIGN-P2 by aligning with best practice guidelines.</p> <p>The recommend amendments to SIGN-S1, SIGN-S6 and SIGN-Table 28 are set out in Appendix B.</p>	Regulatory speed limit (km/hr)	Separation distance (m)	50	50	60	55	0-70	60	71-80	70	81-100	80
Regulatory speed limit (km/hr)	Separation distance (m)															
50	50															
60	55															
0-70	60															
71-80	70															
81-100	80															

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
Digital signs	SIGN-S2	Resolved	<p>Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraphs 4.16 to 4.31</p> <p>Waka Kotahi [143] Statement of Evidence of Terry Phillip Church paragraphs 7.4(b) and 9.1 to 9.15</p>	<p>SIGN-S2.2 (Dwell Time) Based on the evidence of Mr. Pearson, I agree that there is a potential risk that the 10 second dwell time (as recommended) could become a de-facto permitted baseline. For the avoidance of doubt, I therefore recommend that the 10 second dwell time (as recommend) only applies to digital signs that comply with SIGN-S2.3 (Intersections) and SIGN-S2.9 (State Highways). Where SIGN-S2.3 and SIGN-S2.9 are not complied with I consider the 30 second permitted dwell as notified to be appropriate. I therefore recommend that SIGN-S2.2 is amended as follows:</p> <p><i>“Any illuminated, moving, flashing or digital sign must only display still images, and <u>where multiple still images are displayed and SIGN-S2.3 and SIGN-S2.9 are complied with</u>, each still image must be displayed for a minimum of 30 <u>10</u> seconds each before changing to a different still image. <u>Where SIGN-S2.3 and SIGN-S2.9 are not complied with, still images must be displayed for a minimum of 30 seconds each before changing to a different still image, and there must be no transitions between still images apart from cross-dissolve of a maximum of 0.5 seconds.</u>”</i></p> <p>SIGN-S2.3 (Intersections) Abley Limited in considering the evidence of Mr. Church agree that the Timaru District has a variety of complex intersections that are not signalised. In their opinion, there would therefore be safety benefits in ensuring that signs in proximity to unsignalised intersections in Timaru District are assessed through a resource consent application process. Accordingly, I recommend SIGN-S2.3 is amended as follows:</p> <p><i>“No illuminated, moving, flashing or digital sign must be visible to vehicles traveling on a legal road within 400 <u>50</u> metres of an</i></p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
				<p>signalised intersection, <u>measured in accordance with Figure 15 in the TRAN chapter.</u>”</p> <p>SIGN-S9 (Digital signs adjoining a state highway) Abley Limited in considering the evidence of Mr. Church now consider it appropriate from a traffic safety perspective for all digital signs in the Timaru District adjoining a state highway to obtain resource consent. I note that their initial recommendation was based on the assumption that all digital signs would be an off-site sign and would therefore require resource consent as a restricted discretionary, discretionary or non-complying activity under SIGN-R4. However, on-site digital signs could be established as a permitted activity (provided the standards are complied with). From a consistency perspective, Abley Limited therefore consider it appropriate for all digital signs on state highways to obtain a resource consent to enable a traffic assessment to be undertaken.</p> <p>I therefore recommend that SIGN-S2.9 is amended, as follows:</p> <p><i>“No digital sign is to be located adjoining a State Highway with a speed limit of 70km/hr or more.”</i></p> <p>I note that Mr. Pearson and Mr. Church have reviewed and are comfortable with my recommended amendments to SIGN-S2.2, SIGN-S2.3 and SIGN-S2.9.</p> <p>The recommended amendments to SIGN-S2 are set out in Appendix B.</p> <p>In terms of Section 32AA, the recommended amendments, in my view, will be more effective at achieving SIGN-O1.3 and SIGN-P2 by setting a higher minimum dwell time for digital signs located in areas where the risk of distraction is higher, by requiring all</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
				illuminated, moving, flashing and digital signs within 50m of an intersection to obtain resource consent and by requiring all digital signs on state highways to obtain resource consent.
Maximum height and area of signs in the CMUZ, GIZ and PORTZ	SIGN-S3 and SIGN-S4	Resolved	Fonterra [165] Statement of Evidence of Susannah Vrena Tait – paragraph 13.1 PrimePort [175] – Statement of Evidence of Timothy (Tim) Walsh – paragraphs 104 and 105	
Matters of discretion in the SIGN Chapter	SIGN-R4, SIGN-S2, SIGN-S5 and SIGN-S6	Resolved*	Waka Kotahi [143] Statement of Evidence of Stuart Pearson – paragraph 4.4(d) Waka Kotahi [143] Statement of Evidence of Terry Phillip Church – paragraph 7.4(c)	
Relationship between the TEMP chapter and other chapters of the PDP	TEMP- Rule Note	Resolved	Transpower [159] Statement of Evidence of Rebecca Eng Attachment A	

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
Management of temporary military training activities	TEMP-P2 and TEMP-R2		Defence Force [151] – Letter prepared by Rebecca Davies dated 17 April 2025	<p>TEMP-P2 Defence Force [151] in their evidence seeks the deletion of Clauses 3 and 4 of TEMP-P2, as follows:</p> <p>3. do not adversely affect the safety and efficiency of the transport network; and</p> <p>4. are of a scale and location that is compatible consistent with the anticipated character and qualities of the zone where they occur; and</p> <p>In their view, transport matters for temporary activities including high trip generating activities are more appropriately addressed in the TRAN chapter. Defence Force [151] also consider that the focus of TEMP-P2 should be on permanent adverse effects of temporary activities and a distinction should be made between permanent and temporary effects (with a greater allowance provided for temporary effects including effects on character and amenity). In their view, the term compatible is not less restrictive than consistent. Clause 4, in their view, is therefore too restrictive and unnecessary onerous for temporary military training activities (TMTA). They therefore request the removal of this requirement from TEMP-P2 or for TMTA to be exempt from TEMP-P2(4).</p> <p>For the reasons specified in my s42A report I do not agree with Defence Force [151] that Clause 3 and 4 in TEMP-P2 should be deleted. The temporary activities rules have been purposely drafted to ensure any temporary activity or event will not cause significant adverse effects on the character and qualities of the environment in which they occur. In my view, it is therefore appropriate for the anticipated character and qualities of the zone to be assessed where the permitted rule requirements are not met to achieve TEMP-O1.2.</p> <p>TEMP-R2</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply				
				<p>Defence Force [151] in their evidence request the following amendments to TEMP-R2:</p> <table border="1" data-bbox="1317 392 2123 1256"> <thead> <tr> <th colspan="2" data-bbox="1317 392 2123 424">TEMP-R2 Temporary military training activities</th> </tr> </thead> <tbody> <tr> <td data-bbox="1317 424 1720 1256"> <p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building or structure is removed within seven calendar days after completion of the activity, unless the building or structure and its use are permitted in the zone it is located; and</p> <p>PER-2 The duration of <u>temporary military training activities the activity at any one site</u> does not exceed a total of 31 <u>consecutive</u> calendar days per year on any site, excluding set-up and pack-out activities; and</p> <p>PER-3 If located on the site for longer than 7 consecutive</p> </td> <td data-bbox="1720 424 2123 1256"> <p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary Controlled</p> <p>Matters of <u>discretion control</u> are <u>restricted reserved</u> to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss or privacy and loss of amenity; and 2. location and design of buildings and structures; and 3. traffic safety; and 4. dust and sediment control; and 5. ground stability; and 6. the ability to return the site to its original condition; and 7. the duration of the activity, including the period buildings and structures will remain on the site. </td> </tr> </tbody> </table>	TEMP-R2 Temporary military training activities		<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building or structure is removed within seven calendar days after completion of the activity, unless the building or structure and its use are permitted in the zone it is located; and</p> <p>PER-2 The duration of <u>temporary military training activities the activity at any one site</u> does not exceed a total of 31 <u>consecutive</u> calendar days per year on any site, excluding set-up and pack-out activities; and</p> <p>PER-3 If located on the site for longer than 7 consecutive</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary Controlled</p> <p>Matters of <u>discretion control</u> are <u>restricted reserved</u> to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss or privacy and loss of amenity; and 2. location and design of buildings and structures; and 3. traffic safety; and 4. dust and sediment control; and 5. ground stability; and 6. the ability to return the site to its original condition; and 7. the duration of the activity, including the period buildings and structures will remain on the site.
TEMP-R2 Temporary military training activities								
<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 Any building or structure is removed within seven calendar days after completion of the activity, unless the building or structure and its use are permitted in the zone it is located; and</p> <p>PER-2 The duration of <u>temporary military training activities the activity at any one site</u> does not exceed a total of 31 <u>consecutive</u> calendar days per year on any site, excluding set-up and pack-out activities; and</p> <p>PER-3 If located on the site for longer than 7 consecutive</p>	<p>Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary Controlled</p> <p>Matters of <u>discretion control</u> are <u>restricted reserved</u> to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss or privacy and loss of amenity; and 2. location and design of buildings and structures; and 3. traffic safety; and 4. dust and sediment control; and 5. ground stability; and 6. the ability to return the site to its original condition; and 7. the duration of the activity, including the period buildings and structures will remain on the site. 							

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply	
				<p>days, any <u>All building(s) and structure(s) located on a site more than seven calendar days must comply with the height in relation to boundary and setback requirements rules and standards of the zone in which the site is located; and</u></p> <p>PER-4 Where excavation is carried out, the ground is returned to its original condition within seven calendar days after completion of the activity.</p> <p>Note:</p> <p>1. The activity must comply with NOISE-R3 and EW-R1.</p> <p>2. It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an appropriate traffic management plan <u>if necessary</u> to avoid traffic</p>	<p>Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <p>1. loss of outlook, shading, loss of privacy and loss of amenity; and</p> <p>2. location and design; and</p> <p>3. ground contour of any excavated areas; and</p> <p>4. dust and sediment control; and</p> <p>5. ground stability.</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply	
				<p><i>safety hazards being generated from the activity.</i></p>	
				<p>For the reasons specified in my section 42A report I do not support Defence Force [151] recommended amendments to PER-2. Permitting TMTA on any site where they do not exceed 31 consecutive days would set not limit on the number of training events per year, and in my view, would be contrary to TEMP-O1 and TEMP-P2.</p> <p>Based on the corporate evidence of Ms. Davis, I am relatively comfortable with a consistent timeframe being applied to buildings and/or structures associated with TMTA and for PER-3 to be deleted. Any buildings or structures associated with TMTA which, do not comply with the underlying zone rules and standards are required to be removed within seven days following the completion of the activity under PER-1 which, in my view, ensures any potential or actual adverse effects on the environment are temporary in accordance with TEMP-O1.2. I therefore recommend that PER-3 is deleted as follows:</p> <p><i>PER-3</i></p>	

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
				<p><i>If located on the site for longer than 7 consecutive days, any All building(s) and structure(s) located on a site more than seven calendar days must comply with the height in relation to boundary and setback requirements rules and standards of the zone in which the site is located; and</i></p> <p>I do not agree with Ms. Davies that TMTA that does not comply with permitted rule requirements should be a controlled activity. In my opinion, there may be circumstances where the rule requirements are being breached, such as where an applicant is seeking not to restore a site to its original condition for a long period of time, or not at all, which, may have significant adverse effects on the environment (inconsistent with TEMP-P2). As such, I consider the restricted discretionary activity status, as notified, to be more appropriate.</p> <p>I agree with Ms. Davies that there may be instances where the relevant road controlling authority does not require a formal traffic management plan. However, rather than using the phrase “if necessary” I recommend Note 2 is amended as follows:</p> <p>Note 2 <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange a a <u>appropriate</u> traffic management plan <u>if required</u> to avoid traffic safety hazards being generated from the activity.</i></p> <p>I also recommend consequential amendments TEMP-R3 (Note 1) and TEMP-R6 (Note 1).</p> <p>PER-1</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer’s Interim Reply
				<p>In my s42A report, I recommended that TEMP-R2 (PER-1) is amended as follows:</p> <p>PER-1 <i>Any building or structure must be removed within seven calendar days following after the completion of the activity, unless the building or structure and its use are permitted in the zone it is located.</i></p> <p>The reason for this is I did not consider it necessary to require buildings and/or structures which, stay on a site longer than 31 days to comply with the underlying zone rules and standards as any building and/or structure that stays on a site following the completion of a temporary event would no longer be a temporary activity and would be required to be assessed against the underlying zone rules (as opposed to the rules in the TEMP chapter).</p> <p>However, on reflection any building or structure associated with a TMTA that remains on the site longer than seven days following the completion of the activity, regardless of its activity status in the underlying zone, would be in breach of TEMP-R2. To avoid a technical breach, I therefore recommend that TEMP-R2 (PER-1) is amended as follows:</p> <p>PER-1 <i>Any building or structure must be removed within seven calendar days following after the completion of the activity, <u>unless the building or structure and its use are permitted in the underlying zone it is located or a resource consent for the building and or structure has been obtained.</u></i></p> <p>The recommended amendments to TEMP-R2 are set out in Appendix B.</p>

Issue	Relevant provision(s)	Status	Relevant submitter(s) / Evidence	Post-Hearing Officer's Interim Reply
				In terms of Section 32AA, the recommended amendments to TEMP-R2, in my view, will remain effective at achieving TEMP-O1 and TEMP-P2 while being more efficient by removing the technical consenting requirement for buildings or structures that remain on site following the completion of the activity.
Establishment of temporary buildings/structures (associated with rail works) outside of the rail corridor	TEMP-R1	Resolved	KiwiRail [187] – Statement of Evidence Catherine Lynda Heppelthwaite (6.0.n)	

Appendix B – Changes Recommended to Provisions

EARTHWORKS

Introduction

Earthworks are a necessary part of subdivision, land use and development, but need to be managed to ensure that risks associated with land instability, sediment loss and increased natural hazards, and effects on amenity, cultural values, strategic infrastructure and the natural environment are effectively addressed.

Earthworks provisions in the District Plan manage the scale, location and type of earthworks through threshold standards that apply to all zones. Various exemptions are ~~provided from rules~~ included within this chapter. The impact of earthworks on sensitive areas is dealt with in other chapters. This includes Significant Natural Areas, Outstanding Natural Landscapes or Features, High Naturalness Water Bodies, Visual Amenity Landscapes, Flood Assessment Areas, the Coastal Environment, Sites and Areas of Significance to Māori, Heritage Items or Settings, and infrastructure.

In addition to the District Plan provisions, consent may also be required for earthworks under Regional Plan provisions and/or National Environmental Standards.

In the event that an unidentified archaeological site or wāhi tapu site is located during any¹ earthworks, all earthworks must follow the Accidental Discovery Protocol contained in APP4 – Accidental Discovery Protocol.²

Objectives

EW-O1	Earthworks activity
	Earthworks facilitate subdivision, and the use and development of the District's land resource , while ensuring that its adverse effects on the surrounding environment are avoided or mitigated. ³

Policies

EW-P1	Benefits and necessity
	Recognise the benefits and necessity of earthworks for the subdivision, use and development of land, <u>including earthworks for the provision of network utilities</u> , and natural hazard mitigation <u>works</u> . ⁴

EW-P2	Management and amenity
	<u>Ensure</u> Require that any adverse effects of earthworks do not detract from the amenity values, the intrinsic values of ecosystems, and <u>the</u> environmental quality enjoyed by those living or working in the vicinity. ⁵

EW-P3	Accidental discovery
	Require accidental discovery protocols to ensure land disturbance avoids or mitigates adverse effects on sensitive material.

EW-P4	Infrastructure
	Protect Regionally Significant Infrastructure from the adverse effects of earthworks.

EW-P5	Land stability

¹ Section 42A Summary Statement, Paragraph 14(a)

² Clause 16(2) Amendments

³ Clause 16(2) Amendments

⁴ Clause 16(2) Amendments

⁵ Clause 16(2) Amendments

Only allow earthworks on steeper slopes and in proximity to boundaries where they will not impact significant adverse effects on land stability are avoided and other adverse effects are appropriately mitigated.⁶

Rules

Note: ~~Activities not listed in the rules of this chapter are classified as a permitted under this chapter.~~⁷ For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine which rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

<p>EW-R1</p>	<p>Earthworks, excluding earthworks:</p> <ul style="list-style-type: none"> a. for tree planting, or the removal of trees not protected by the District Plan; b. for test pits, wells or boreholes permitted under a regional plan or where all necessary regional resource consents have been obtained; c. for infrastructure <u>that is identified as permitted, controlled or restricted discretionary in Sections A, B, C and E to Sections G of the Energy, and Infrastructure chapter and in TRAN-R1 to TRAN-5 and TRAN-R89 of the Transport chapters of the Plan;</u>⁸ d. required for maintenance of existing drains and ponds; e. for natural hazard mitigation works carried out by Timaru District Council or Canterbury Regional Council that are permitted by the relevant Plan chapter; f. for cemeteries, including pet cemeteries, and urupā; g. permitted under a National Environment Standard, unless otherwise subject to a rule in this Plan. h. within the building footprint, or within 2m of the outer edge of, a building that has building consent and that complies with EW-S3. This exemption does not apply to earthworks associated with retaining walls/structures which are not required for the structural support of the principal building on the site or adjoining site. 	
<p>All Zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 EW-S1, EW-S2, EW-S3, EW-S4 and EW-S5 are complied with; and</p> <p>PER-2 <u>Except where an Archaeological Authority has been obtained from Heritage New Zealand Pouhere Taonga, the earthworks shall be undertaken in accordance with the Accidental Discovery Protocol commitment form, contained within APP4 - Form confirming a commitment to adhering to an Accidental Discovery Protocol, has been</u></p>	<p>Activity status when compliance not achieved with PER-1: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <hr/> <p>Activity status when compliance not achieved with PER-2: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. the extent of potential adverse effects on sites where there is the potential for koiwi or artefacts to be discovered;

⁶ Silver Fern Farms [172.96] and Alliance Group [173.99]

⁷ Clause 16(2) Amendment

⁸ Mr. Willis Recommendation – Hearing E, Hearing F Interim Reply

<p>completed and submitted to Council, prior to the commencement of any earthworks.⁹</p>	<p>2. whether there has been prior consultation with Te Rūnanga o Arowhenua and Heritage New Zealand Pouhere Taonga;</p> <p>3. measures to avoid, remedy or mitigate potential adverse effects on potential koiwi or artefacts.</p>
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Standards		
EW-S1	Areas	
<p>1. General Rural Zone</p> <p>Rural Lifestyle Zone</p>	<p>The area of earthworks must be limited to as follows:</p> <ol style="list-style-type: none"> 1. for any primary production activity that is a Permitted Activity in the zone, there is no limit; and 2. for any ancillary rural earthworks, there is no limit; and 3. for other activities: 2,000m² in any 12-month period per site. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and 4. the impact on any overland flow paths.¹⁰
<p>2. General Residential Zone</p> <p>Medium Density Residential Zone</p>	<p>The area of earthworks must be limited to 250m² in any 12-month period per site.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and¹¹ 4. the impact on any overland flow paths; and¹² 5. <u>where the earthworks are within a wāhi tūpuna, wāhi taoka or wāhi tapu overlay:</u> <ol style="list-style-type: none"> a. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u> b. <u>the proposal’s consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u> c. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u>

⁹ Heritage NZ [114.37]

¹⁰ Clause 16(2) Amendment, Hearing F Interim Reply

¹¹ Clause 16(2) Amendment

¹² Clause 16(2) Amendment, Hearing F Interim Reply

		<ul style="list-style-type: none"> d. <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</u> e. <u>the appropriateness of any mitigation measures proposed, including the need for an accidental discovery protocol; and</u> f. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u> <ul style="list-style-type: none"> i. <u>affirm the connection between mana whenua and place; or</u> ii. <u>enhance the cultural values of the site/area; or</u> iii. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u> iv. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance commensurate with the scale and nature of the proposal; and</u> g. <u>where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses.</u>¹³
<p>3. Settlement Zone</p> <p>Commercial and mixed use zones</p> <p>General Industrial Zone</p> <p>Clandeboye Manufacturing Zone¹⁴</p> <p>Open Space and</p>	<p>The area of earthworks must be limited to 2,000m² in any 12-month period per site.</p>	<p>Matters of discretion are restricted to:</p> <ul style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on the road network, of heavy vehicle and other vehicular traffic generated as a result of earthworks; and 3. the impact on visual amenity and landscape character; and 4. the impact on any overland flow paths; <u>and</u>¹⁵ 5. <u>where the earthworks are within a wāhi tūpuna, wāhi taoka or wāhi tapu overlay:</u> <ul style="list-style-type: none"> a. <u>whether Te Rūnanga o Arowhenua has been consulted, the outcome of that consultation, and the extent to which the proposal responds to, or incorporates the outcomes of that consultation; and</u>

¹³ Ms. White Recommendation – Hearing E

¹⁴ Fonterra [165.95] – Note – Amendment only needed if the Clandeboye Manufacturing Zone is created.

¹⁵ Clause 16(2) Amendment, Hearing F Interim Reply

<p>Recreation zones</p> <p>Port Zone</p> <p>Māori Purpose Zone</p>		<p>b. <u>the proposal’s consistency with the values identified in SCHED6 — Schedule of Sites and Areas of Significance to Kāti Huirapa; and</u></p> <p>c. <u>the potential adverse effects, including on sensitive tangible and/or intangible cultural values; and</u></p> <p>d. <u>whether there are alternative methods, locations or designs that would avoid or mitigate the impact of earthworks on the values associated with the site or area of significance; and</u></p> <p>e. <u>the appropriateness of any mitigation measures proposed , including the need for an accidental discovery protocol; and</u></p> <p>f. <u>the extent to which the proposed activity provides an opportunity to recognise Kāti Huirapa culture, history and identity associated with the site/area, and any potential to:</u></p> <ul style="list-style-type: none"> i. <u>affirm the connection between mana whenua and place; or</u> ii. <u>enhance the cultural values of the site/area; or</u> iii. <u>provide for the relationship of Kāti Huirapa with their taoka; or</u> iv. <u>maintain or enhance the ability of Kāti Huirapa to access and use the Site or Area of Significance commensurate with the scale and nature of the proposal; and</u> <p>g. <u>where the earthworks will remove indigenous vegetation, the nature of any effects on mahika kai and other customary uses.</u>¹⁶</p>
<p>EW-S2</p>	<p>Excavation and filling</p>	
<p>All Zones</p>	<ol style="list-style-type: none"> 1. Earthworks do not exceed a maximum depth or height of 1.5m below or above ground level; and 2. earthworks are not undertaken at any point on land with a slope gradient greater than 1 in 4; and 3. all fill consists¹⁷ of cleanfill material. <p>Note: A cut or fill height up to 2.5m measured vertically does not need to meet</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. dust nuisance, sedimentation, land instability, erosion and contamination effects; and 2. the impact on visual amenity, landscape character, outlook and privacy; and 3. adverse effects on the margins of water bodies.¹⁸

¹⁶ Ms. White Recommendation – Hearing E

¹⁷ Clause 16(2) Amendment

¹⁸ Clause 16(2) Amendment, Hearing F Interim Reply

	<i>this standard where it is retained by a building or structure authorised by a building consent (which must be obtained prior to any earthworks commencing).</i>	
EW-S3	Setbacks	
All Zones	Earthworks involving filling and/or excavation must not exceed 0.5m in depth or height <u>below or above ground level</u> ¹⁹ within 1.5m of any site boundary.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. sedimentation and land instability effects; and 2. the impact on outlook and privacy.
EW-S4	Rehabilitation and reinstatement	
All Zones	<ol style="list-style-type: none"> 1. No more than 12 months after the earthworks commenced and on completion of the earthworks, the area of land disturbed as a result of the earthworks must be: <ol style="list-style-type: none"> a. built upon; or b. sealed with hardstand material; or c. landscaped; or d. recontoured and replanted. 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the impact on visual amenity, landscape character and outlook; and 2. potential dust nuisance, sedimentation, land instability and erosion; and 3. the impact on the area’s surface water; and 4. the nature of the vegetation proposed.
EW-S5	Earthworks in proximity of the National Grid and/or a 66kV electricity distribution line, excluding earthworks for: <ol style="list-style-type: none"> a. a network utility as part of an electricity transmission activity; or b. agricultural or domestic cultivation; or c. the repair, sealing or resealing of a road, footpath, driveway or farm track. 	
All Zones	<p>1 Any earthworks must not exceed a depth or fill of 300mm within a distance measured 12m from the outer visible edge of any National Grid support structure; or</p> <p>2-1 Earthworks within 12 metres of the centre line of a 110kV or a 220kV National Grid transmission line or within 10 metres of the centre line of a 66kV transmission line must:</p> <ol style="list-style-type: none"> a. be no deeper or higher than 300mm <u>below or above ground level</u>²⁰ within 6m of a foundation of a transmission line support structure; and b. be no deeper than 3m <u>below ground level</u>²¹ when: 	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the risk to the structural integrity of the transmission line support structure; and 2. compliance with NZECP 34:2001; and 3. the effects on the ability of the utility operator to operate, upgrade and develop the National Grid and transmission lines, including on-going safe and direct access.

¹⁹ ECan [183.4]

²⁰ ECan [183.4]

²¹ ECan [183.4]

<p>i. between 6 and 12 metres from the foundation of a 110kV or a 220kV National Grid transmission line support structure; or</p> <p>ii. between 6 and 10 metres from the foundation of a 66kV transmission line support structure; and</p> <p>iii. <u>c.</u> not result in a reduction in the ground to conductor clearing distances below what is required by Table 4 in NZECP 34:2001, unless the requirements of Clause 2.2.3 of NZECP 34:2001 are met.</p> <p><u>Note: Earthworks and land disturbance within the National Grid Yard are assessed in EI-R28.</u>²²</p>	
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Advice Note:

~~In the event that an unidentified archaeological site or a waahi tapu site is located during any earthworks, the following applies:~~

- ~~1. The earthworks must cease immediately at that place and within 20m around the site.~~
- ~~2. Heritage New Zealand Pouhere Taonga must be notified and apply for the appropriate authority if required.~~
- ~~3. Te Rūnanga o Ngāi Tahu must be notified of the discovery and ensure site access to enable appropriate cultural procedures and tikanga to be undertaken.~~
- ~~4. If human remains (koiwi) are uncovered then the Heritage New Zealand Pouhere Taonga, NZ Police and Te Rūnanga o Ngāi Tahu must be notified. Remains are not to be moved until such time as iwi and Heritage New Zealand have responded.~~
- ~~5. Works affecting the archaeological site shall not resume until Heritage New Zealand Pouhere Taonga, the Police (if skeletal remains are involved) and Te Rūnanga o Ngāi Tahu have each given the necessary approval for work to continue.~~

~~Evidence of archaeological sites can include oven stones, charcoal, shell middens, ditches, banks, and pits, building foundations, artefacts of Māori and Non-Māori origin or human burials.~~²³

²² Transpower [159.89] and Section 42A Summary Statement, Paragraph 8

²³ Clause 16(2) Amendment

RELOCATED BUILDINGS AND SHIPPING CONTAINERS

Introduction

The ability to relocate and use buildings and shipping containers contributes to the economic wellbeing of the Timaru District by providing for the sustainable, and affordable, reuse of existing buildings and shipping containers. However, the use of relocated buildings and shipping containers can result in adverse visual amenity effects. Both can appear inconsistent with the established character of the area and if left unfinished for a long period of time can also look untidy. For these reasons, this chapter manages the relocation of buildings and shipping containers as a specific land use activity.

The relocation of heritage buildings listed in SCHED3 – Schedule of Historic Heritage Items is managed by provisions in the Historic Heritage chapter.¹

Objectives

RELO-O1 Relocated buildings and shipping containers

Relocated buildings and shipping containers occur where they will have minimal adverse effects on the character and visual amenity values of the surrounding area.²

Policies

RELO-P1 Relocated buildings and shipping containers in the General Industrial Zone and Port Zone³

Enable the relocation of buildings and shipping containers in the General Industrial zZone⁴ and Port Zone.

RELO-P2 Shipping containers in all other zones

Enable shipping containers where:

1. ~~they are screened so that they are not visible from any road; or⁵~~
2. they are positioned in a location that does not dominate the streetscape; and
3. they do not adversely affect the character and amenity values of the surrounding area.

RELO-P3 Relocated buildings in all other zones

Provide for relocated buildings where:

1. the exterior appearance and materials of any relocatable building is consistent with the character and amenity values of the surrounding area; and
2. any reconstruction, repair or reinstatement works are limited in duration.

Rules

Note: ~~Activities not listed in the rules of this chapter are classified as a permitted under this chapter. [The underlying zone rules and standards in Part 3 – Area Specific Matters – Zone Chapters apply to relocated buildings and shipping containers. The provisions of Part 2 – District-wide Matters Chapters also apply to relocated buildings and shipping containers.](#) For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required~~

¹ Heritage New Zealand [114.7]

² Clause 16(2) Amendment

³ Clause 16(2) Amendment

⁴ Clause 16(2) Amendment

⁵ Rooney Holdings (174.74), Rooney, GJH (191.74), Rooney Group (249.74), Rooney Farms (250.74), Rooney Earthmoving (251.74) and TDL (252.74)

*under each of those rules. All relocated buildings and shipping containers are subject to the underlying zone rules and standards in Part 3—Area Specific Matters—Zone Chapters. The provisions of Part 2—District-wide Matters Chapters also apply to relocated buildings and shipping containers. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW—How the Plan Works—General Approach.*⁶

RELO-R1	Placement of a relocated building	
<p>1 General Industrial Zone Port Zone</p>	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
<p>2 All zones except the General Industrial Zone and Port Zone</p>	<p>Activity status: Controlled Permitted</p> <p>Where:</p> <p><u>PER-1</u> <u>The relocated building is designed and built for its intended purpose.</u></p> <p><u>PER-2</u> <u>A reinstatement works report prepared by a licensed building practitioner accompanies the application for building consent. The report is to identify all reinstatement works that are to be completed to the exterior of the building and shall include certification by the property owner that the reinstatement works will be completed within a 12 month period from the date the relocated building is being moved to the site.</u></p> <p><u>PER-3</u> <u>The relocated building shall be located on permanent foundations approved by building consent, no later than two months of the building being moved to the site.</u></p> <p><u>PER-4</u> <u>All reinstatement works must be undertaken in accordance with the reinstatement work report within a 12 month period in accordance with PER-2.</u></p> <p><u>PER-5</u> <u>Once all reinstatement works have been completed written confirmation is supplied to Council.</u></p> <p><u>CON-1</u></p>	<p>Activity status where compliance is not achieved: Restricted Discretionary</p> <p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the timeframe to permanently site the building on foundations and to repair any damage to the exterior of the building; and 2. the quantum and details of a bank bond to guarantee the building is permanently located on foundations and any damage to the exterior is completed; and 3. the exterior appearance and materials of the building.

⁶ Clause 16(2) Amendment/Section 42A Summary Statement, Paragraph 14(c)

	<p>The applicant has entered into a contract with a Licensed Building Practitioner that confirms that within twelve months of the building being located on the site:</p> <ol style="list-style-type: none"> 1. the building will be permanently sited on foundations; and 2. any damage to the exterior of the relocated building will be repaired to a tradesman's like manner. <p>Matters of control are reserved to:</p> <ol style="list-style-type: none"> 1. The exterior appearance and materials of the building; and; 2. Method and timing of notification to council to monitor the consent.⁷ <p><i>Note: This rule does not apply if the building is a temporary activity provided for in TEMP - Temporary Activity Chapter.</i></p>	
RELO-R2	Placement of a shipping container	
<p>1 General Industrial Zone</p> <p>Port Zone</p>	<p>Activity status: Permitted</p>	<p>Activity status where compliance not achieved: Not applicable</p>
<p>2 All zones except the General industrial Zone and the Port Zone</p>	<p>Activity Status: Controlled</p> <p>Where:</p> <p>CON-1 The shipping container is either:</p> <ol style="list-style-type: none"> 1. located more than 20m from a road boundary; or 2. is not visible from the road; and⁸ <p>CON-2 The maximum <u>total⁹ gross floor¹⁰ area and number¹¹</u> of all shipping containers on the site does not exceed:</p>	<p>Activity status where compliance is not achieved with CON-1 or CON-2¹⁸: Restricted Discretionary</p> <p>The matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. location on the site; and 2. visibly of the shipping container beyond the boundary of the site; and 3. the exterior appearance of the shipping container; and 4. landscaping and screening; and 5. the number of shipping containers on the site and cumulative effects on visual amenity and the character of the area.

⁷ NZHHA [184.1]

⁸ Clause 10(2)(b) Amendment - Rooney Holdings (174.74), Rooney, GJH (191.74), Rooney Group (249.74), Rooney Farms (250.74), Rooney Earthmoving (251.74) and TDL (252.74)

⁹ Section 42A Summary Statement, Paragraph 14(b)

¹⁰ ECan [183.1]

¹¹ Prodanov, T [117.4]

¹⁸ Clause 16(2) Amendment

Site area	Total G gross ¹² floor ¹³ area of shipping containers ¹⁴	Number of shipping containers
<10ha	230m ²	2
>10ha	230m ² per 10ha of site area	2 per 10ha of site area ¹⁵

and

CON-3

There is no stacking of shipping containers.

Matters of control are reserved to:

1. location of the shipping container on the site; and
2. the exterior appearance of the shipping container;
3. screening and landscaping;¹⁶

Note: This rule does not apply if the shipping container is a temporary activity provided for in TEMP - Temporary Activity Chapter.¹⁷

Definitions

Relocated Building

Means any building that is relocated, in whole or in part, from one site to another, but excludes:

- a. shipping containers; and
- b. new buildings specifically constructed for relocation to another site; and
- c. non-motorised caravans; and
- d. heritage buildings listed in SCHED3 – Schedule of Historic Heritage Items.¹⁹

¹² Section 42A Summary Statement, Paragraph 14(b)

¹³ ECan [183.1]

¹⁴ Clause 16(2) Amendment

¹⁵ Prodanov, T [117.4]

¹⁶ Clause 16(2) Amendment

¹⁷ Clause 16(2) Amendment

¹⁹ Heritage New Zealand [114.7]

SIGNS

Introduction

Signs provide benefits to people and communities by providing useful information, advertising events, products, services and businesses, and by identifying places and providing directions. Signs however can detract from the amenity and character of an area, adversely affect traffic safety and cause a nuisance. Accordingly, this chapter enables signage but manages its adverse effects.

The provisions of this chapter apply district-wide, with specific provisions also applying in more sensitive zones.

Signs within a state highway road reserve require approval from Waka Kotahi (New Zealand Transport Agency) regardless of the provisions in this District Plan. Please refer to Waka Kotahi for more information. Please also refer to the Timaru District Council Consolidated Bylaws regarding signage, particularly signage in public places. Election signs, including the size, design of lettering and time period for display are controlled by the Electoral Act 1993 and its associated regulations.

Objectives

SIGN-O1 **Signs**

Signs contribute to the social, cultural and economic wellbeing of the Timaru District while:

1. supporting the needs of business, infrastructure and community activities;
2. maintaining or enhancing the character and amenity values of the surrounding area; and
3. maintaining public safety.

Policies

SIGN-PX **Enable¹ Signs**

Enable signs (excluding off-site signs) in all zones, where:

1. they are an official sign; or
2. they meet the requirements in SIGN-P1 and SIGN-P2.²

SIGN-P1 **~~Managing the effects of signs~~ Character and amenity effects³**

~~Enable signs in all zones, but r~~Require signs (excluding official signs)⁴ to:

1. be compatible with the purpose, character and qualities of the Zone in which they are located; and
2. be compatible ~~to with⁵~~ the design and visual amenity of the building on which they are located; and
3. ~~not contribute to~~ minimise visual clutter and/or adverse cumulative effects.⁶

SIGN-P2 **Managing Road safety effects⁷**

~~Require that signs to be~~are⁸ designed and located so they do not compromise the safe use of any road by motorists, pedestrians and other road users, by:

¹ Section 42A Report Summary Statement, paragraph 10

² Waka Kotahi [143.121]

³ Clause 16(2) Amendment

⁴ Waka Kotahi [143.121]

⁵ Clause 16(2) Amendment

⁶ Out of Home Media [188.4]

⁷ Clause 16(2) Amendments

⁸ Clause 16(2) Amendments

1. ensuring the type, scale, design and location of signs are appropriate to the classification of road; and
2. ~~ensuring signs do not cause~~ minimising⁹ motorist distraction or confusion; ~~and~~
3. ~~ensuring~~ including, but not limited to, distraction caused by sign proliferation, illumination levels, light spill, flashing and moving signs ~~images~~ and digital signs ~~do not cause distraction~~;¹⁰
4. ensuring signs do not imitate, compete with, or give instructions that conflict with traffic signs or traffic control devices; and
5. minimising the potential for line of sight obstruction.

SIGN-P3 **Off-site Commercial advertising¹¹ signs**

Avoid ~~new~~ off-site commercial advertising¹² signs not provided for under SIGN-P4, unless:

1. ~~it can be demonstrated it will not establish a precedent or result in similar applications to request equivalent treatment~~ the sign is located within the CMUZ, GIZ or PORTZ or is consistent with the character and amenity values of the surrounding area; and¹³
2. it will not create ~~cumulative~~ adverse cumulative effects; and¹⁴
3. it meets the requirements detailed in SIGN-P1 and SIGN-P2.

SIGN-P4 **Off-site signs — Open space and recreation zones**

Provide for off-site signs in the Open space and recreation zones, only where the off-site sign:

1. is ancillary to a recreational activity on the site; and
2. will not be visible beyond the site; or
3. will be erected for a temporary period only.

Rules

Note: Activities not listed in the rules of this chapter are classified as a permitted under this chapter. For certain activities, consent may be required by rules in more than one chapter in the Plan. Unless expressly stated otherwise by a rule, consent is required under each of those rules. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

SIGN-R1	Official signs	
All zones	Activity status: Permitted	Activity status when compliance is not achieved: Not applicable
SIGN-R2	Temporary signs (<u>excluding real estate and development signs</u>)¹⁵	
All zones	Activity status: Permitted Where: PER-1 The sign is associated with a temporary event <u>or activity</u> permitted by the TEMP-Temporary activities chapter; and	Activity status when compliance is not achieved with PER-4 or PER-5: Restricted Discretionary Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard.

⁹ Out of Home Media [188.5]

¹⁰ Clause 16(2) Amendments

¹¹ Out of Home Media [188.6]

¹² Out of Home Media [188.6]

¹³ Go Media [18.3], Fi Glass [161.3], Out of Home Media [188.6], Griff Simpson Family [199.3], Red Sky [233.3]

¹⁴ Clause 16(2) Amendment

¹⁵ Clause 16(2) Amendment

	<p>PER-2 The sign must be erected no more than four weeks before the first day of the event <u>or activity</u>; and</p> <p>PER-3 The sign must be removed within one week of the event <u>or activity</u> ending; and¹⁶</p> <p>PER-4 The sign must comply with the height in relation to boundary, height and setback requirements for the Zone, except for the road boundary setback requirement; and</p> <p>PER-5 The activity complies with all the Standards of this chapter.</p>	<p>Note: Where compliance with PER-4 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status when compliance is not achieved with PER-1, PER-2 or PER-3: Discretionary</p>
SIGN-R3	Real estate and development signs	
All zones	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign must be removed within one week after completion of the sale of the site or completion of development or demolition works on the site; and</p> <p>PER-2 The sign must be located on the site that is being sold or the site that the development or demolition work is taking place; and</p> <p>PER-3 The sign must comply with the height in relation to boundary, height and setback requirements for the Zone, except for the road boundary setback.</p>	<p>Activity status when compliance is not achieved with PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note: Where compliance with PER-3 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status where compliance is not achieved with PER-1 or PER-2: Discretionary</p>
SIGN-R4	Any signs not otherwise <u>listed</u> address in the Rules section of this chapter¹⁷	
1. Commercial and mixed use zones¹⁸	<p>Activity status: Permitted</p> <p>Where:</p>	Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary

¹⁶ Clause 16(2) Amendments

¹⁷ Clause 16(2) Amendment/Section 42A Report Summary Statement, paragraph 14(d)

¹⁸ Go Media [18.4], ANSTAR [47.1], Fi Glass [161.4], Out of Home Media [188.7] Griff Simpson Family [199.4] and Red Sky [233.3]

<p>Residential zones</p> <p>Rural zones</p> <p>Māori Purpose Zone</p>	<p>PER-1 The sign is not an off-site sign; and</p> <p>PER-2 The sign must not be flashing or moving; and</p> <p>PER-3 The sign must comply with the height in relation to boundary requirements for the Zone; and</p> <p>PER-4 The activity complies with all the Standards of this chapter.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note: Where compliance with PER-3 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status where compliance not achieved with PER-2: Discretionary</p> <p>Activity status where compliance not achieved with PER-1: Non-complying</p>
<p>2. Open space and recreation zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign: <ol style="list-style-type: none"> 1. is not an off-site sign; or 2. is an off-site sign which: <ol style="list-style-type: none"> a. is for commercial sponsorship of a recreation activity; and b. will not be visible beyond the site; and </p> <p>PER-2 The sign is ancillary to a recreation activity; and</p> <p>PER-3 The sign must meet the height <u>in relation</u> to boundary requirements for the Zone; and¹⁹</p> <p>PER-4 The activity complies with all the Standards of this chapter.</p>	<p>Activity status where compliance not achieved with PER-3 or PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note: Where compliance with PER-4 is not achieved, the matters of discretion for the zone requirements apply.</p> <p>Activity status where compliance not achieved with PER-2: Discretionary</p> <p>Activity status where compliance not achieved with PER-1: Non-complying</p>
<p>3. <u>Commercial and Mixed Use Zones</u></p> <p>General Industrial Zone</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The sign is not an off-site sign; and</p> <p>PER-2</p>	<p>Activity status where compliance not achieved with PER-2 or PER-3: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the matters of discretion of any infringed standard. <p>Note:</p>

¹⁹ Clause 16(2) Amendment

<p><u>Clandeboye Manufacturing Zone</u>²⁰</p> <p>Port Zone</p>	<p>The sign must comply with the height in relation to boundary requirements for the Zone; and</p> <p>PER-3 <u>The sign if located in a commercial or mixed use zone must not be flashing or moving; and</u></p> <p>PER-4 The activity complies with all the Standards of this chapter.</p>	<p>Where compliance with PER-2 is not achieved, the matters of discretion for the zone requirements apply.</p> <p><u>Activity status where compliance not achieved with PER-3: Discretionary</u></p> <p><u>Activity status where compliance not achieved with PER-1: Restricted Discretionary Non-complying</u></p> <p><u>Where:</u></p> <p><u>RDIS-1</u> <u>The sign is located in the LFRZ, CCZ, GIZ or PORTZ</u></p> <p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>any impact on the character and amenity values of the surrounding area; and</u> 2. <u>whether the sign contributes to visual clutter; and</u> 3. <u>any adverse cumulative effects;</u> 4. <u>any adverse effects on traffic safety; and</u> 5. <u>any positive effects of the sign.</u> <p><u>Activity status where compliance not achieved with RDIS-1: Discretionary</u>²¹</p>
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Standards		
SIGN-S1	Traffic safety	
<p>All zones</p>	<ol style="list-style-type: none"> 1. All freestanding signs visible from State Highways must be erected at a right angle to the road or within a variance of 15° either side of the right angle. 2. No sign shall be erected adjacent to a road in a manner that will: <ol style="list-style-type: none"> a. obstruct the line of sight of any road corner, bend or intersection, or vehicle crossing; or 	<p><u>Matters of discretion are restricted to:</u></p> <ol style="list-style-type: none"> 1. <u>Any adverse effects on</u>²⁴ traffic safety; and 2. the design and location of the sign; and 3. any positive effects of the sign.

²⁰ Fonterra [165.120] – Note amendment only required if the Clandeboye Manufacturing Zone is created

²¹ Go Media [18.4], ANSTAR [47.1], Fi Glass [161.4], Out of Home Media [188.7] Griff Simpson Family [199.4] and Red Sky [233.3]

²⁴ Section 42A Report Summary Statement, paragraph 13

	<ul style="list-style-type: none"> b. obstruct, obscure or impair the view of any traffic sign or signal; or c. resemble or be likely to be confused with any traffic sign or signal; or d. use reflective materials that may interfere with a road user's vision. <p>3. All signs within 10 horizontal metres of a road <u>designed to be read by motorists</u> must comply with the minimum lettering sizes in Table 27 — Minimum lettering size.²²</p> <p>4. All signs <u>in rural zones within 40 horizontal metres of a road designed to be read by motorists on a road with a posted speed limit of 70km/h or more</u> must comply with the minimum setback distances from other signs as read from one direction and measured parallel to the centre line of the road in Table 28 — Separation distances.²³</p>	
SIGN-S2	Illuminated, moving, flashing and digital signs	
All zones	<ol style="list-style-type: none"> 1. Any illuminated, moving, flashing or digital display sign must not display a digital or pre-recorded broadcast.²⁵ 2. Any illuminated, moving, flashing or digital display sign must only display still images, and <u>Where multiple still images are displayed and SIGN-S2.3 and SIGN-S2.9 are complied with</u>, each still image must be displayed for a minimum of 30 <u>10</u>²⁶ seconds each before changing to a different still image. <u>Where SIGN-S2.3 and SIGN-S2.9 are not complied with, still images must be displayed for a minimum of 30 seconds each before changing to a different still image.</u> and <u>There must be no transitions between still images</u> 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the frequency and intensity of flashing and/or image change; and 2. extent of illumination when visible from a public place or neighbouring property; and 3. impact on surrounding activities; and 4. impacts on the amenity and character of the surrounding environment; and 5. whether the sign would result in any direct light overspill onto a residential property or the road network; and 6. <u>any adverse effects on traffic safety; and</u>³³ 7. any positive effects of the sign.

²² Waka Kotahi [143.125]

²³ Go Media [18.8], Fi Glass [161.8], Out of Home Media [188.8], Griff Simpson Family [199.8] and Red Sky [233.8] and evidence of Mr. Church [Hearing F, Interim Reply]

²⁵ Clause 16(2) Amendment

²⁶ Go Media [18.5], Fi Glass [161.5], Out of Home Media [188.9], Griff Simpson Family [199.5] and Red Sky [233.5]

³³ Waka Kotahi [143.126]

	<p>apart from cross-dissolve of a maximum of 0.5 seconds.²⁷</p> <ol style="list-style-type: none"> 3. No illuminated, moving, flashing or digital display sign must be visible to vehicles travelling on a legal road within 400 <u>50</u> metres of an <u>signalised</u> intersection,²⁸ <u>measured in accordance with Figure 15 in the TRAN chapter.</u>²⁹ 4. No illuminated, moving, flashing or digital display sign is to be visible from and/or located within 50 metres of a Residential zone or a residential unit. 5. No illuminated, moving, flashing or digital display sign shall create more than 10.0 lux spill (horizontal and vertical) of light when measured or calculated 2m within the boundary of any adjacent site or road. 6. Illumination levels of any sign must not exceed 250 candelas per square metre between sunset and sunrise. 7. Illumination levels of any sign must not exceed <u>25000</u> candelas per square metre between sunrise and sunset.³⁰ 8. <u>Illuminated signs must incorporate a lighting control to adjust brightness in line with ambient light levels.</u>³¹ 9. No digital sign is to be located adjoining a State Highway <u>with a speed limit of 70km/hr or more.</u>³² 	
SIGN-S3	Maximum height of signage	
<ol style="list-style-type: none"> 1. All zones 	<p>Any temporary sign must not exceed 3m in height, measured from ground level.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
<ol style="list-style-type: none"> 2. 	<ol style="list-style-type: none"> 1. Any freestanding sign must not exceed <u>48</u>m in height, measured from ground level. 	<p>Matters of discretion are restricted to:</p>

²⁷ Evidence of Mr. Pearson [Hearing F Interim Reply]

²⁸ Out of Home Media [188.9] and Evidence of Mr. Pearson [Hearing F, Interim Reply]

²⁹ Clause 16(2) Amendment

³⁰ Go Media [18.5], Fi Glass [161.5], Out of Home Media [188.9], Griff Simpson Family [199.5] and Red Sky [233.5]

³¹ Go Media [18.5], Fi Glass [161.5], Out of Home Media [188.9], Griff Simpson Family [199.5] and Red Sky [233.5]

³² Evidence of Mr. Church [Hearing F, Interim Reply]

<p>Commercial and Mixed Use zones</p> <p>Open Space and Recreation zones</p> <p>General Industrial Zone</p> <p>Clandeboye Manufacturing Zone³⁴</p> <p>Port Zone</p>	<p>2. Any sign attached to a building must not extend above facade height.</p>	<p>1. any impact on the character and amenity values of the surrounding area; and</p> <p>2. whether the sign is compatible with the built form on the site; and</p> <p>3. whether the sign contributes to visual clutter; and</p> <p>4. any adverse cumulative effects; and</p> <p>5. any positive effects of the sign.</p>
<p>X</p> <p>Open Space and Recreation zones</p>	<p>1. <u>Any freestanding sign must not exceed 4m in height, measured from ground level.</u></p> <p>2. <u>Any sign attached to a building must not extend above facade height.</u></p>	<p>Matters of discretion are restricted to:</p> <p>1. <u>any impact on the character and amenity values of the surrounding area; and</u></p> <p>2. <u>whether the sign is compatible with the built form on the site; and</u></p> <p>3. <u>whether the sign contributes to visual clutter; and</u></p> <p>4. <u>any adverse cumulative effects; and</u></p> <p>5. <u>any positive effects of the sign.</u>³⁵</p>
<p>3.</p> <p>Rural zones</p> <p>Māori Purpose Zone</p>	<p>Any sign must not exceed 3m in height, measured from ground level.</p>	<p>Matters of discretion are restricted to:</p> <p>1. any impact on the character and amenity values of the surrounding area; and</p> <p>2. whether the sign contributes to visual clutter; and</p> <p>3. any adverse cumulative effects; and</p> <p>4. any positive effects of the sign.</p>
<p>4.</p> <p>Residential zones</p>	<p>There is no maximum height under this standard.</p>	<p>Matters of discretion are restricted to:</p> <p>Not applicable</p> <p>1. any impact on the character and amenity values of the surrounding area; and</p> <p>2. whether the sign contributes to visual clutter; and</p> <p>3. any adverse cumulative effects; and</p> <p>4. any positive effects of the sign.³⁶</p>
<p>SIGN-S4</p>	<p>Maximum area of a sign</p>	

³⁴ Fonterra [165.121] – Note amendment only required if the Clandeboye Manufacturing Zone is created

³⁵ Go Media [18.6], Fi Glass [161.6], Out of Home Media [188.10], Griff Simpson Family [199.6] and Red Sky [233.6]

³⁶ Clause 16(2) Amendment

<p>1. All zones</p>	<p>1. Any temporary sign must not exceed 2m² in area but may be double sided. Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
<p>2. Commercial and Mixed Use zones</p>	<p><u>Where a site has a road frontage less than 50m</u> Any freestanding sign must not exceed 5m² 6m² in area. <u>For sites with a road frontage of 50m or more the maximum area of any freestanding sign must not exceed 18m². Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.</u></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign is compatible with the built form on the site; and 3. whether the sign contributes to visual clutter; and 4. any adverse cumulative effects; and 5. any positive effects of the sign.
<p>3. Residential zones</p>	<p>The maximum total area of signs on any site must not exceed 0.5m². Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
<p>4. Rural zones Māori Purpose Zone</p>	<p>The maximum total area of signs on any site shall not exceed 3m². Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. any positive effects of the sign.
<p>5. Open Space and Recreation zones</p>	<ol style="list-style-type: none"> 1. The surface area of a commercial sponsorship sign must not exceed 3m² in area. Where a sign is double-sided, the maximum area of the sign is calculated as the area of one side of the sign. 2. The surface area of a sign displaying the club/s name must not exceed 5m² in area. 	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign is compatible with the built form on the site; and 3. whether the sign contributes to visual clutter; and 4. any adverse cumulative effects; and 5. any positive effects of the sign.
<p>6. General Industrial Zone</p>	<p>There is no maximum area of a sign.</p>	<p>Matters of discretion are restricted to: Not applicable</p>

Clandeboye Manufacturing Zone³⁷		
Port Zone		
SIGN-S5	Maximum number of temporary signs	
1. Residential zones Rural zones Māori Purpose Zone	There shall be no more than one temporary sign per site.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. <u>any adverse effects on traffic safety; and³⁸</u> 5. any positive effects of the sign.
2. Commercial and Mixed Use zones General Industrial Zone Clandeboye Manufacturing Zone³⁹ Port Zone Open Space and Recreation zones	There shall be no more than three temporary signs per site.	Matters of discretion are restricted to: <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. <u>any adverse effects on traffic safety; and⁴⁰</u> 5. any positive effects of the sign.
SIGN-S6	Maximum number of signs (not including Official signs, <u>Instructional signs⁴¹</u> and Temporary signs)	
1. Commercial and Mixed Use zones	<ol style="list-style-type: none"> 1. <u>There shall be no limit on the number of signs that are not visible from beyond the site;</u> 2. <u>For signs visible from beyond the site there shall be no limit more than one freestanding sign per road frontage located on a site; or</u> 	Matters of discretion are restricted to: Not applicable <ol style="list-style-type: none"> 1. <u>any impact on the character and amenity values of the surrounding area; and</u> 2. <u>whether the sign contributes to visual clutter; and</u>

³⁷ Fonterra [165.122] – Note amendment only required if the Clandeboye Manufacturing Zone is created

³⁸ Waka Kotahi [143.127]

³⁹ Clause 10(2)(b) Amendment – Fonterra [165.20-165.123] – Note amendment only required if the Clandeboye Manufacturing Zone is created

⁴⁰ Waka Kotahi [143.128]

⁴¹ Hearing F, Interim Reply

<p>General Industrial Zone</p> <p>Clandeboye Manufacturing Zone⁴²</p> <p>Port Zone (excluding PREC7 – Port Operational Area Precinct)</p>	<p><u>3. Multiple freestanding signs may be located per road frontage where the minimum setback distance between signs within the site as read from one direction and measured parallel to the centre line of the road in Table 28 – Separation distances are complied with.⁴³</u></p> <p><u>Note: A freestanding sign may advertise multiple premises located on the site.</u></p>	<p>3. <u>any adverse cumulative effects; and</u></p> <p>4. <u>any adverse effects on traffic safety; and</u></p> <p>5. <u>any positive effects of the sign.</u>⁴⁴</p>
<p>PREC7 – Port Operational Area Precinct</p>	<p><u>4. There shall be no limit.</u>⁴⁵</p>	
<p>2. Residential zones</p> <p>Rural zones</p> <p>Māori Purpose Zone</p>	<p>There shall be no more than one sign per road frontage located on a site.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. <u>any adverse effects on traffic safety; and</u>⁴⁶ 5. any positive effects of the sign.
<p>3. Open Space and Recreation zones</p>	<p>There shall be no more than two signs per site visible from beyond the site.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. any impact on the character and amenity values of the surrounding area; and 2. whether the sign contributes to visual clutter; and 3. any adverse cumulative effects; and 4. <u>any adverse effects on traffic safety; and</u>⁴⁷ 5. any positive effects of the sign.
<p>SIGN-S7</p>	<p>Sign content</p>	
<p>All zones</p>	<p>A sign must not display words, images, or model (human or mannequin) that are sexually explicit, lewd, racist or otherwise offensive content.</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. the content of the sign.

⁴² Fonterra [165.123] – Note amendment only required if the Clandeboye Manufacturing Zone is created

⁴³ Evidence of PrimePort and NZTA [Hearing F, Interim Reply]

⁴⁴ Clause 10(2)(b) Amendments - Go Media [18.8], Fi Glass [161.8], Out of Home Media [188.8 and 188.13], Griff Simson Family [199.8] and Red Sky [233.8]

⁴⁵ Evidence of PrimePort [Hearing F, Interim Reply]

⁴⁶ Waka Kotahi [143.128]

⁴⁷ Waka Kotahi [143.128]

Table 27 — Minimum lettering size⁴⁸

Regulatory speed limit of adjoining road	Main message	Secondary message
Km/hr	Minimum lettering height (mm)	Minimum lettering height (mm)
0–50	100	75
51–70	150	100
71–80	175	125
81–100	200	150

Posted speed limit of adjoining road (km/h)	Letter height		
	Main message	Property Name	Secondary Message
<u>50</u>	<u>150</u>	<u>100</u>	<u>75</u>
<u>60</u>	<u>175</u>	<u>125</u>	<u>90</u>
<u>70</u>	<u>200</u>	<u>150</u>	<u>100</u>
<u>80</u>	<u>250</u>	<u>175</u>	<u>125</u>
<u>100</u>	<u>300</u>	<u>200</u>	<u>150</u>

Table 28 — [Minimum Separation distances between signs](#)⁴⁹

Regulatory speed limit (km/hr)	Separation distance (m)
<u>50</u>	<u>50</u>
<u>60</u>	<u>55</u>
<u>0–70</u>	<u>60</u>
<u>71–80</u>	<u>70</u>
<u>81–100</u>	<u>80</u>

⁴⁸ Waka Kotahi [143.129]

⁴⁹ Waka Kotahi [143.130] and Evidence of Mr. Church [Hearing F, Interim Reply]

Definitions

Off-site signs

means any sign that is used to advertise activities, goods and services that are not undertaken, sold or provided on the site on which the sign is located but excludes any temporary sign.⁵⁰

Instructional Sign

Means any static sign on a site which primarily provides information or direction relating to wayfinding, instructions or warnings relevant to the site's operation, including signs that identify business entrances, exits and carparks and signs for security purposes.⁵¹

⁵⁰ Clause 16(2) Amendment

⁵¹ Evidence of PrimePort and NZTA [Hearing F, Interim Reply]

TEMPORARY ACTIVITIES

Introduction

Temporary activities have a limited duration and therefore generally en^1 generate temporary adverse effects on the environment. These activities include, but are not limited to, public and community events that provide important social, cultural and recreational opportunities. Temporary activities also include temporary buildings that are necessary for construction work, temporary military training activities required under the Defence Act 1990, and housing recovery temporary accommodation for displaced people following a declared emergency event.

Temporary activities are provided for by this chapter subject to controls to ensure they can occur without having significant adverse effects on the character and qualities of the environment in which they occur and without causing any permanent effects on the environment.

Temporary activities occurring on the surface of water are managed by provisions in the [Activities on the Surface of Water – ASW chapter](#).²

As detailed in *Part 1 – HPW – Statutory Context*, freedom camping, as defined in Section 5 of the Freedom Camping Act 2011, is not managed by the District Plan and is managed by the Freedom Camping Act 2011.³

Objectives

TEMP-O1 Temporary activity

Temporary activities occur when they:

1. contribute to the wellbeing of the community and vitality of the District; and
2. have a limited duration and do not cause significant adverse effects on the environment; and
3. do not permanently alter the environment.

Policies

TEMP-P1 Benefits of temporary activities

Recognise the social, economic, cultural and environmental benefits of temporary activities, including:

1. temporary events and temporary emergency services training activities⁴ that enhance the quality of life, commercial opportunities and the vitality of the district;
2. temporary buildings that enable construction projects;
3. temporary military training activities that maintain the nation's security, the New Zealand Defence Force's operational capacity and the wellbeing, health and safety of communities;
4. housing recovery temporary accommodation that provides essential accommodation for displaced people while the affected properties are being repaired and rebuilt following an emergency.

TEMP-P2 Temporary Construction, temporary military training activity,⁵ temporary emergency services training activity⁶ and temporary events

¹ Clause 16(2) Amendment

² Clause 16(2) Amendment

³ NZMCA [134.1, 134.2 and 134.6]

⁴ Clause 10(2)(b) Amendment – FENZ [131.4 and 131.16]

⁵ Clause 16(2) Amendment

⁶ Clause 10(2)(b) Amendment – FENZ [131.4 and 131.16]

Ensure that any temporary construction buildings and structures, temporary military training activities, temporary emergency services training activities⁷ and temporary events, including those with ancillary buildings and structures, are compatible with the surrounding environment by requiring that they:

1. are for a limited duration only; and
2. do not result in permanent adverse effects on the environment; and
3. do not adversely affect the safety and efficiency of the transport network; and
4. are of a scale and location that is compatible consistent⁸ with the anticipated character and qualities of the zone where they occur; and
5. do not have the potential to have significant adverse effects on the environment.

TEMP-P3 Housing Recovery Temporary Accommodation

Enable housing recovery temporary accommodation following an emergency on:

1. private land when the accommodation is required to accommodate the owner(s) and / or occupier(s) of the land during repairing/rebuilding of the site's principal building(s); and
2. public land when the Ministry of Business, Innovation and Employment has announced that a temporary accommodation village is required;

Where the land:

3. has the ability to connect to essential infrastructure services; and
4. can integrate with the road network and public transport services; and
5. will not have a permanent adverse effects on significant natural and cultural values;

While ensuring:

6. the activity is not permanently established unless provided for by the District Plan; and
7. the site can be returned to its original condition; and
8. a management plan is in place to ensure solid waste, fire hazard and amenity effects on the surrounding area are minimised; and
9. the scale of the accommodation is responsive to the available capacity of essential infrastructure.

TEMP-P4 Temporary motorsport events

Only allow temporary motorsport events, including any ancillary buildings and structures, where they:

1. are located in the General ~~R~~ural ~~z~~Zone;⁹
2. are for a limited duration only; and
3. do not adversely affect the safety of the transport network; and
4. do not result in excessive adverse noise, and dust effects; and
5. do not have the potential to have significant adverse effects on the environment.

Rules

Note: For certain activities, consent may be required by rules in more than one chapter in the Plan. Where rules in this chapter are more lenient than the rules in Part 3 — Area Specific Matters - Zone Chapters, rules in this chapter take precedence. Unless otherwise specified in this chapter, the provisions of Part 2 - District-wide Matters Chapters still apply to activities provided for in this chapter and therefore resource consent may be required by the rules in Part 2.

⁷ Clause 10(2)(b) Amendment – FENZ [131.4 and 131.16]

⁸ NZDF [151.5]

⁹ Clause 16(2) Amendment

Activities¹⁰ not listed in the rules of this chapter are classified as a permitted under this chapter. The steps plan users should take to determine what rules apply to any activity, and the status of that activity, are provided in Part 1, HPW — How the Plan Works - General Approach.

TEMP-R1 Temporary buildings and structures ancillary to construction work		
All zones	Activity status: Permitted	Activity status where compliance not achieved with PER-4: Restricted Discretionary
	<p>Where:</p> <p>PER-1 The temporary building and/or structure is located on the same site as the associated construction work <u>unless, the building and/or structure is associated with construction work within the road or rail corridor and is located on a site directly adjoining the road or rail corridor;</u> and</p> <p>PER-2 The maximum combined gross floor area of any temporary buildings and/or structures does not exceed 50m² where the site is located within or adjoining a Residential zone; and</p> <p>PER-3 The temporary building and/or structure is removed from the site upon completion of the associated construction work, or within 24 months from the date it was located on the site, whichever is sooner; and</p> <p>PER-4 The temporary building and/or structure must comply with the height, height in relation to boundary, and setback requirements of the zone where the activity is located.</p> <p>Note: The activity must comply with NOISE-R4.¹¹</p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss of privacy and loss of amenity; and 2. location and design. <p>Activity status where compliance not achieved with PER-1 or PER-2 or PER-3: Discretionary</p>
TEMP-R2 Temporary military training activities		
All zones	Activity status: Permitted	Activity status where compliance not achieved with PER-1 or PER-2: Restricted Discretionary
	<p>Where:</p> <p>PER-1 Any building or structure is removed within seven calendar days <u>following after the</u></p>	<p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss of privacy and loss of amenity; and

¹⁰ NZMCA [134.1, 134.2 and 134.6]

¹¹ Clause 16 Amendment

	<p>completion of the activity, <u>unless the building or structure and its use are permitted in the underlying zone it is located or a resource consent for the building and or structure has been obtained</u>; and</p> <p>PER-2 The duration of <u>temporary military training activities</u> the activity at any one site does not exceed a total of 31 calendar days per year on any site, excluding set-up and pack-out activities; and</p> <p>PER-3 If located on the site for longer than 7 consecutive days, any All building(s) and structure(s) located on a site more than seven calendar days must comply with the height in relation to boundary and setback requirements rules and standards of the zone in which the site is located; and¹²</p> <p>PER-4 Where excavation is carried out, the ground is returned to its original condition within seven calendar days after completion of the activity.¹³</p> <p>Note:</p> <ol style="list-style-type: none"> The activity must comply with NOISE-R3 and EW-R1.¹⁴ <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an <u>appropriate</u> traffic management plan <u>if required</u> to avoid traffic safety hazards being generated from the activity.</i>¹⁵ 	<ol style="list-style-type: none"> location and design of buildings and structures;¹⁶ and traffic safety; and dust and sediment control; and ground stability; and the ability to return the site to its original condition; and the duration of the activity, including the period buildings and structures will remain on site. <p>Activity status where compliance not achieved with <u>PER-3</u> or PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> loss of outlook, shading, loss of privacy and loss of amenity; and location and design; and¹⁷ ground contour of any excavated areas; <u>and</u>¹⁸ dust and sediment control; and ground stability.
<p>TEMP-R3</p>	<p>Temporary events and <u>temporary emergency services training activities</u>¹⁹</p>	

¹² Defence Force [151] Interim Reply

¹³ NZDF [151.7]

¹⁴ Clause 16(2) Amendment

¹⁵ Defence Force [151] Interim Reply

¹⁶ Clause 16(2) Amendment

¹⁷ Defence Force [151] Interim Reply

¹⁸ Clause 16(2) Amendment

¹⁹ FENZ [131.4 and 131.16]

<p>All zones except Open Space Zone and Sport and Active Recreation Zone²⁰</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The duration of the <u>temporary²¹ event or temporary emergency services training activity²²</u> does not exceed seven consecutive calendar days; and</p> <p>PER-2 The site is not used for more than two temporary <u>events²³ or temporary emergency services training activities²⁴</u> per calendar year; and</p> <p>PER-3 Any ancillary building(s) or structure(s) are not erected more than <u>7 seven</u> calendar days prior to the event commencing, and are removed within <u>7 seven</u> calendar days following the completion of the <u>temporary²⁵ event or temporary emergency services training activity²⁶</u>; and</p> <p>PER-4 No permanent or mechanical excavation is carried out.</p> <p>Note:</p> <ol style="list-style-type: none"> The activity must comply with NOISE-R2 and EW-R1.²⁷ <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an <u>appropriate</u> traffic management plan <u>if required</u> to avoid traffic safety hazards being generated from the activity.²⁸</i> 	<p>Activity status where compliance not achieved with PER-4: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> ground contour of any excavated areas; dust and sediment control; and ground stability; and visual amenity. <p>Activity status where compliance not achieved with PER-1 or PER-2 or PER-3: Discretionary</p>
<p>TEMP-R4 Housing recovery temporary accommodation on private land</p>		

²⁰ Rooney Holdings [174.76], Rooney, GJH [191.76], Rooney Group [249.76], Rooney Farms [250.76], Rooney Earthmoving [251.76] and TDL [252.76]

²¹ Clause 16(2) Amendment

²² FENZ [134.4]

²³ Clause 16(2) Amendment

²⁴ FENZ [134.4]

²⁵ Clause 16(2) Amendment

²⁶ FENZ [134.4]

²⁷ Clause 16(2) Amendment

²⁸ Consequential Amendment, Defence Force [151] Interim Reply

<p>All zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 It is required to accommodate the owner(s) or occupier(s) of the site while their home or business on the site is being repaired / reconstructed; and</p> <p>PER-2 The accommodation is a portable building; and</p> <p>PER-3 The accommodation is removed within 14 days upon the completion of the repairs/reconstruction; and</p> <p>PER-4 The accommodation can be connected to Council’s reticulated services where available; and</p> <p>PER-5 It complies with the height in relation to boundary and setback rules / standards of the underlying zone.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>This activity is not required to comply with SW — Stormwater management chapter.</i> 	<p>Activity status where compliance not achieved with PER-5: Restricted discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. loss of outlook, shading, loss of privacy and loss of amenity; and 2. location and design; and 3. matters described in the relevant rules and standards <p>Activity status where compliance not achieved with PER-1, PER-2, PER3 or PER4: Discretionary</p>
<p>TEMP-R5 Housing Recovery Temporary Accommodation Village on public land</p>		
<p>Public land within:</p> <p>Open Space Zone</p> <p>Sports and Active Recreation zones</p>	<p>Activity status: Permitted</p> <p>Where:</p> <p>PER-1 The village is established on the following sites:</p> <ol style="list-style-type: none"> 1. Ashbury Park 2. Sir Basil Arthur Park 3. Russell Square; and <p>PER-2 The Ministry of Business, Innovation and Employment or Timaru District Council has determined that a temporary accommodation village is required for the District and the village is managed by these parties; and</p>	<p>Activity status where compliance not achieved with PER-5: Restricted Discretionary</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. matters described in the relevant rules and standards <p>Activity status where compliance not achieved with PER-1 to PER-4: Discretionary</p>

	<p>PER-3 The maximum number of residential units and residents are limited as follows:</p> <ol style="list-style-type: none"> 1. Ashbury Park: 50 residential units or 100 residents 2. Sir Basil Park: 50 residential units or 100 residents 3. Russell Square: 30 residential units or 60 residents; and <p>PER-4 A management plan has been submitted to Timaru District Council for acceptance. The management plan should include information in relation to:</p> <ol style="list-style-type: none"> 1. the duration of the village; 2. the management of waste, stormwater and fire hazards; 3. the remediation work required to restore the site to previous state; and <p>PER-5 It complies with the height in relation to boundary and setback rules of the underlying zone.</p> <p>Note:</p> <ol style="list-style-type: none"> 1. <i>This activity is not required to comply with SW — Stormwater management chapter.</i> 2. <i>This activity is not required to comply with SASM — Sites and Areas of Significance to Māori chapter.</i> 	
TEMP-R6 Temporary motorsport events		
<p>1. General Rural Zone</p>	<p>Activity status: Restricted Discretionary</p> <p>Where:</p> <p>RDIS-1 The <u>temporary motorsport</u>²⁹ event does not last more than two <u>three</u>³⁰ days in duration; and</p> <p>RDIS - 2 The site is not used for more than two <u>temporary motorsport</u> Eevents per calendar year; and³¹</p>	<p>Activity status where compliance not achieved with: Discretionary</p>

²⁹ Clause 16(2) Amendment

³⁰ SCCC [135.1]

³¹ Clause 16(2) Amendment

	<p>RDIS-3 The hours of operation are limited to daylight hours only; and³²</p> <p>RDIS-4 Any building and/or structure associated with the activity is not erected more than two days prior to the event commencing and is removed within two days after completion of the event; and</p> <p>RDIS-5 No permanent excavation occurs. If any earthworks occur in preparation for the event, such as the forming of tracks and structures, such earthworks must be rehabilitated to its original condition after the completion of the event.</p> <p>Matters of discretion are restricted to:</p> <ol style="list-style-type: none"> 1. scale and duration; and 2. traffic safety; and 3. dust and sediment control; and 4. ground stability; and 5. rehabilitation methods and timing. <p>Note:</p> <ol style="list-style-type: none"> 1. The activity must comply with NOISE-R1 and EW-R1.³³ 2. <i>It is the organiser's obligation to contact the relevant road controlling authority (New Zealand Transport Agency if the activity is accessed from a State Highway, and Timaru District Council if accessed from any other roads) to arrange an appropriate traffic management plan <u>if required</u> to avoid traffic safety hazards being generated from the activity.</i>³⁴ 	
<p>2. All other zones</p>	<p>Activity status: Non-complying</p>	<p>Activity status where compliance not achieved: Not applicable</p>

³² SCCC [135.1]

³³ Clause 16(2) Amendment

³⁴ Consequential Amendment, Defence Force [151] Interim Reply

Part 1 – HPW – How the Plan Works – Statutory Context

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Other Planning Documents and Legislation Considered

The Council is required by sections 74(2) and 74(2A) of the RMA to have regard to other relevant planning documents or management plans. In preparing the Plan, the Council have had regard to the following:

- New Zealand Heritage List Rarangi Korero;
- Building Act 2004;
- Local Government Act 2002;
- Heritage New Zealand Pouhere Taonga Act 2014;
- Hazardous Substances and New Organisms (HSNO) Act 1996;
- Health and Safety in Employment Act 1992;
- Reserves Act 1997;
- Conservation Act 1987;
- National Parks Act 1980;
- Land Transport Management Act 2003;
- Land Transport Act 1998;
- Fire Service Act 1975;
- Health Act 1956;
- Civil Defence Emergency Management Act 2002;
- Local Government and Official Information and Meetings Act 1987;
- Timaru District Long Term Plan;
- Timaru Growth Management Strategy;
- Timaru District Stormwater Strategy 2018-2048;
- Infrastructure Strategy 2018-2068;
- Timaru District Council Consolidated Bylaw 2018;
- Timaru District Parks Strategy;
- Timaru District Off-road Walking and Biking Strategy;
- Ashburton District Plan;
- Mackenzie District Plan;
- Waimate District Plan;
- Fisheries (Declaration of Waitarakao Mātaitai Reserve) Notice 2014 and Fisheries (Declaration of Opihi Mātaitai Reserve) Notice 2014.

Freedom camping, as defined in Section 5 of the Freedom Camping Act 2011, is not managed by the District Plan and is managed by the Freedom Camping Act 2011.³⁵

³⁵ NZMCA [134.1, 134.2 and 134.6]

Definitions

Emergency Services Training Activity

Means a temporary activity undertaken for training purposes by emergency services, including but not limited to, Fire and Emergency New Zealand, the New Zealand Police, St John/Hato Hone and Civil Defence.³⁶

Temporary Event

Means a type of temporary activity that is a planned public or social occasion and includes carnivals, fairs, markets, auctions, displays, rallies, shows, commercial filming or video production, gymkhanas (equestrian), dog trails, concert, and other recreational sporting activities, public meetings, and hui, ~~and emergency services training events~~, but excludes motorsport events.³⁷

³⁶ FENZ [131.4]

³⁷ FENZ [131.5]
