

## **8A**

## **GENERAL RULES**

### **8A.1**

### **Background**

This chapter intends to capture those activities which are common throughout the Upper Hutt District. Activities covered therein may not necessarily relate to specific zones, but rather are seen as common throughout all zones. Placement within this single chapter is therefore designed to assist Plan users in their assessment of these common activities.

As the Rolling Review of the District Plan progresses, it is envisioned that this chapter will be populated with additional sub-sections upon the completion of related Plan Changes.

## **8A.2**

## **TEMPORARY EVENTS**

### **8A.2.1**

### **Objective**

#### **8A.2.1.1**

**Enable temporary events which manage adverse effects on amenity, the roading network, and the community through:**

- (a) Maintaining an appropriate level of residential amenity;**
- (b) Ensuring the safety and efficiency of the roading network;**
- (c) Recognising the detrimental effects of high noise levels;**  
**and**
- (d) Recognising the positive contribution events have on social, cultural, artistic, and economic activity in the community.**

### **8A.2.2**

### **Policies**

#### **8A.2.2.1**

**Support temporary events which contribute to the community and reasonably maintain expected amenity values of the local residential environment.**

#### **8A.2.2.2**

**Manage the adverse effect light spill from temporary events can have on residential amenity values and traffic safety.**

#### **8A.2.2.3**

**Limit temporary events with high noise levels to maintain residential amenity values.**

**8A.2.2.4** **Provide for temporary events which safely manage traffic effects, reflective of event scale and the dependent roading network.**

**8A.2.2.5** **Provide for temporary events where:**  
**(a) social interactions are facilitated, or;**  
**(b) cultural and artistic expression is promoted, or;**  
**(c) economic activity is stimulated in the Upper Hutt district.**

## **8A.2.3** **Temporary Event Rules**

<b><u>Temporary Events Activity Table</u></b>		
<b><u>Rule</u></b>	<b><u>Activity</u></b>	<b><u>Activity Status</u></b>
<b><u>8A.2.3.1</u></b>	<u>Temporary events which comply with all Permitted Standards.</u>	<b><u>P</u></b>
<b><u>8A.2.3.2</u></b>	<u>Event overnighting of event attendees which complies with the standards in Rule 8A.2.3.13.</u>	<b><u>C</u></b>
<b><u>8A.2.3.3</u></b>	<u>Any temporary event which does not comply with Permitted and Controlled Standards in Rules 8A.2.3.7 to 8A.2.3.13.</u>	<b><u>RD</u></b>
<b><u>8A.2.3.4</u></b>	<u>Any temporary event which does not comply with one or more of the Event Duration standards in Rule 8A.2.3.15.</u>	<b><u>D</u></b>
<b><u>8A.2.3.5</u></b>	<u>Any event overnighting by attendees or event staff which does not comply with one or more of the standards in Rule 8A.2.3.18.</u>	<b><u>D</u></b>
<b><u>8A.2.3.6</u></b>	<u>Any noise from any temporary event which exceeds standards in Rule 8A.2.3.21</u>	<b><u>NC</u></b>

## **Standards for Permitted Activities**

### **8A.2.3.7** **Hours of Operation**

All temporary events shall only be operated between the following times:

- (a) Sporting events:
  - (i) Sunday to Thursday (inclusive): 7am to 10pm
  - (ii) Friday to Saturday: 7am to 11pm
- (b) All other events:
  - (i) Monday to Thursday: 9am to 10pm
  - (ii) Friday to Saturday: 9am to 11pm

**Exemptions:**

- (c) On December 31<sup>st</sup> of any calendar year the finish time may be extended to 1am the following day.
- (d) Event Overnighting which is permitted under rule 8A.2.3.12.
- (e) Any temporary event located in a community facility building.

**Advice Note:**

- Community facilities are defined in Chapter 2. The rule therefore includes such places as libraries, halls, art galleries, schools etc.

**8A.2.3.8**

**Event Duration**

The duration of a temporary event shall not exceed 6 consecutive days, and the site shall not be occupied for a consecutive 10 day period, when including set-up and pack-up time.

**Exemptions:**

- (a) Event Overnighting shall not be considered under this rule; and
- (b) Any temporary event located at a community facility building.

**Advice Note:**

- Community facilities are defined in Chapter 2. The rule therefore includes such places as libraries, halls, art galleries, schools etc.

**8A.2.3.9**

**Outdoor Amplified Noise**

Any outdoor amplified sound from a temporary event (including sound testing) which exceeds 65 dB L<sub>Aeq</sub> (5 mins) shall:

- (a) Be emitted for a maximum of 6 hours per day between the following hours:
  - (i) Sunday to Thursday (inclusive): 9am to 10pm
  - (ii) Friday and Saturday: 10am to 11pm; and
- (b) Be emitted for a consecutive period of no more than 3 days per event site, and
- (c) Be emitted for no more than a total of 3 days over any 17 day period, from a single site.

**When measured:**

- i. At any point within the boundary of any site (other than the source site/s) within a Residential zone; and
- ii. At any point within the notional boundary of any dwelling on a site (other than the source sites/s) within a Rural zone; and
- iii. At any point within the boundary of any site (other than the source sites/s) occupied by a hotel, motel, motor camp, early childhood centre, school or education facility, health care facility or aged care facility within any zone.

**Exemptions:**

- (d) On December 31<sup>st</sup> of any calendar year the finish time may be extended to 1am the following day; and
- (e) All activities occurring at the Speedway Area (including temporary events) shall be subject to specific rules pertaining to the Speedway Area in Chapter 21.

**8A.2.3.10**

**Non-amplified Noise**

- (a) Any noise resulting from a temporary event (other than amplified sound) must not exceed:
  - (i) 70db L<sub>Aeq</sub> (15 min)
  - (ii) 85 db L<sub>Amax</sub>

When measured:

- (1) At any point within the boundary of any site (other than the source site/s) within a Residential zone; and
  - (2) At any point within the notional boundary of any dwelling on a site (other than the source site/s) within a Rural zone; and
  - (3) At any point within the boundary of any site (other than the source site/s) occupied by a hotel, motel, motor camp, early childhood centre, school or education facility, health care facility or aged care facility within any zone.
- (b) Any such noise shall also be pursuant to the general hours of operation standards 8A.2.3.7.
    - (i) Any noise outside these permitted hours of operation associated with the set-up and pack-up times shall comply with the relevant noise standards in Chapter 32.

**Exemptions:**

- (c) Noise produced by crowds;
- (d) All activities occurring at the Speedway Area (including temporary events) shall be subject to specific rules for the Speedway Area outlined in Chapter 21; and
- (e) Organised fireworks displays undertaken at Trentham Memorial Park shall be subject to the specific provisions in Rule 21.14A.

**8A.2.3.11**

**Light Spill**

All artificial light sources from temporary events shall be directed away from residential dwellings and any road with a posted speed limit of greater than 70km/h.

**8A.2.3.12****Overnighting of Event Staff**

The overnighting of up to 20 event staff, provided that:

- (a) Overnighting facilities are located at least 50m from the formation of any legal road and dwelling;
- (b) Any supporting ablution facilities are located at least 30m from the formation of any legal road, or dwelling;
- (c) When located at Riverbank Park (Lot 1 DP 33753), and Karapoti Park (SEC 896 Hutt District Recreation Reserve 365):
  - i. Overnighting facilities and any supporting ablution facilities are located at least 15m from the formation of any legal road, and at least 30m from any residential dwelling;
- (d) When located at The Green Space (Sec 1 SO 35740 and Lots 43 to 47 DP 1336):
  - i. Overnighting facilities or supporting ablution facilities are to be located at least 5m from the formation of legal road (except Criterion Lane), from any adjoining site.
- (e) Ablution facilities are provided to cater for all anticipated attendees.

**Exemptions:**

- (f) Permanent ablution facilities already available on-site are not subject to setback provisions.

**Advice Notes:**

- Any overnighting or ablution structures may be subject to the definition of 'Building' under Chapter 2 and the corresponding water body setback under Rule 29.1.
- Event overnighting is subject to the corresponding definition under Chapter 2 and General Noise Provisions under Chapter 32.

**Controlled Activities****8A.2.3.13****Overnighting of Event Attendees**

The overnighting of 30 event attendees or less is a Controlled Activity, provided that:

- (a) overnighting facilities are located at least 50m from the formation of any legal road and dwelling;
- (b) any supporting ablution facilities are located at least 30m from the formation of any legal road, or dwelling;
- (c) The site has not been occupied for this purpose more than 3 times within the last 12 months of receiving the application;
- (d) When located at Riverbank Park (Lot 1 DP 33753), and Karapoti

Park (SEC 896 Hutt District Recreation Reserve 365):

- i. Overnighting facilities and any supporting ablution facilities are located at least 15m from the formation of any legal road, and at least 30m from any residential dwelling.
- (e) When located at The Green Space (Sec 1 SO 35740 and Lots 43 to 47 DP 1336):
- i. Overnighting facilities or supporting ablution facilities are to be located at least 5m from the formation of legal road (except Criterion Lane), from any adjoining site.
- (f) Ablution facilities are provided to cater for all anticipated attendees.

The matters Council seek to control are as follows:

- (g) The hours of operation;
- (h) Site access;
- (i) The area of occupation;
- (j) Location and number of ablution facilities;
- (k) Noise effects;
- (l) The appointment of a designated site manager and be provided their contact details.

**Exemptions:**

- (m) Permanent ablution facilities already available on-site are not subject to setback provisions;
- (n) Temporary Events located in Kaitoke Regional Park; and
- (o) When attendees overnight at established camping grounds.

**Advice Notes:**

- Any overnighting or ablution structures may be subject to the definition of ‘Building’ under Chapter 2 and the corresponding water body setback under Rule 29.1.
- Event overnighting is subject to the corresponding definition under Chapter 2 and General Noise Provisions under Chapter 32.

**Restricted Discretionary Activities**

**8A.2.3.14**

**Temporary events which do not comply with Permitted hours of operation standards**

Council shall restrict its discretion to the following matters:

- (a) The nature of the event and hours of operation;
- (b) The anticipated level of disruption to residents, considering:
  - i. The density, proximity, and nature of housing surrounding the site; and
  - ii. Any existing or proposed buffer between the event and residential occupation likely to mitigate adverse effects;

- and
- (c) Adverse effects the event may have on parking, and the safety and efficiency of the roading network; and
- (d) The reoccurrence of the event.

**8A.2.3.15**      **Temporary events which do not comply with permitted event duration standards**

Subject to meeting the following standards:

- (a) Any event will not be conducted for a consecutive period of over 15 days, and shall not occupy a site for a consecutive period of over 19 days, when including set-up and pack-up times; and
- (b) Any single event shall not exceed 6 consecutive days or a 10 day period on a site, when including set-up and pack-up times, more than 3 times over a 12 month period.

Council shall restrict its discretion to the following matters:

- (c) The nature of the temporary event and hours of operation;
- (d) Cumulative effects associated with occupation of the site;
- (e) Sensitivity of the site to occupation in terms of:
  - i. The density, proximity, and nature of housing surrounding the site;
  - ii. Any existing or proposed buffer between the temporary event and residential occupation likely to mitigate adverse effects;
  - iii. Impacts on the local natural and physical environment; and
- (f) Adverse effects the temporary event may have on parking, and the safety and efficiency of the roading network.

**8A.2.3.16**      **Noise from a temporary event which does not comply with permitted noise standards and is not a Non-Complying Activity**

Council shall restrict its discretion to the following matters:

- (a) The nature of the temporary event and operating hours;
- (b) The level and nature of noise emitted as part of the temporary event;
- (c) The anticipated level of disruption to residence, considering:
  - a. The density, proximity, and nature of housing surrounding the site; and
  - b. Any existing or proposed buffer between the temporary event and residential occupation likely to mitigate adverse effects; and
- (d) The reoccurrence of the temporary event.

**8A.2.3.17**      **Any artificial light source from temporary events directed towards residential dwellings and/or any road with a posted speed limit of greater than 70km/h.**

Council shall restrict its discretion to the following matters:

- (a) The nature, type, duration and, location of the light source and its consequential adverse effects on residential amenity; and
- (b) Adverse effects on traffic safety.

**8A.2.3.18**      **Any overnighting of attendees or event staff as part of a temporary event which does not comply with one or more of the Permitted or Controlled standards.**

Subject to meeting the following standards:

Any overnighting shall be limited to only:

- (a) 100 people, comprised of a mix of attendees and event staff; and
- (b) Overnighting at a single site for a consecutive period of no more than 3 nights.

Council shall restrict its discretion to the following matters:

- (c) The anticipated level of disruption to residence, considering:
  - i. The density, proximity, and nature of housing surrounding the site; and
  - ii. Any existing or proposed buffer between the temporary event and residential occupation likely to mitigate adverse effects.
- (d) Adverse effects the temporary event may have on parking, and the safety and efficiency of the roading network;
- (e) The reoccurrence of the temporary event;
- (f) Adverse effects on visual amenity, including:
  - i. Site dominance;
  - ii. Public visibility; and
  - iii. Maintenance of the site as its intended, permanent, use.
- (g) The availability of ablution facilities

**Discretionary Activities**

**8A.2.3.19**      **Any temporary event which does not comply with one or more of the Restricted Discretionary Standards for event duration in Rule 8A.2.3.15.**

**8A.2.3.20**      **Any event overnighting by attendees or event staff which does not comply with one or more of the standards in Rule 8A.2.3.18.**



## **Non-complying Activities**

### **8A.2.3.21**

Any noise from any temporary event which exceeds 80 dB L<sub>Aeq</sub> (5 mins) or 85dB L<sub>Amax</sub>.

#### When measured:

- i. At any point within the boundary of any site (other than the source site/s) within a Residential zone; and
- ii. At any point within the ~~20m~~ notional boundary of any dwelling on a site (other than the source sites/s) within a Rural zone; and
- iii. At any point within the boundary of any site (other than the source sites/s) occupied by a hotel, motel, motor camp, early childhood centre, school or education facility, health care facility or aged care facility within any zone.

#### **Exemptions:**

- (a) Noise produced by crowds;
- (b) All activities occurring at the Speedway Area (including temporary events) shall be subject to specific rules pertaining to the Speedway Area in Chapter 21; and
- (c) Organised fireworks displays undertaken at Trentham Memorial Park shall be subject to the specific provisions in Rule 21.14A.