

Appendix A – Officer’s Recommendation Decisions on Submissions – Temporary Activities

Submission point No.	Submitter	Provision	Position	Summary of decision requested	Reasons	Officer Recommendation	Relevant section of s42A Report
140.85	Horticulture New Zealand	TEMP-R1	Support	RETAIN TEMP-R1 as notified. AND any consequential or alternative amendments required to address the concerns raised by the submitter.	Supports the exclusion of market gardens which occur on a semi regular basis.	Accept in part	Topic 5: Temporary activity rules and standards
149.104	Royal Forest and Bird Protection Society of New Zealand Incorporated	Temporary Activities Overview	Amend	AMEND the Overview in the Temporary Activities chapter to include recognition that temporary activities have the potential to adversely affect natural environment values including indigenous biodiversity. AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, Temporary Activity provisions do not reflect the adverse effects temporary activities can have on natural environment values and on indigenous biodiversity. E.g. temporary military training activities in areas with indigenous vegetation and habitats could result in trampling and destruction.	Reject	Topic 1: Natural environment values and temporary activities
FS84.21	NZ Defence Force	Temporary Activities Overview	Oppose	Reject the submission point in full or allow in part by acknowledging some temporary activities can have effects on the natural environment and that these effects are addressed through the application of other district-wide matters chapters.	As per point 1 above the Rules table in the Temporary Activities chapter, other Part-2 District-wide matters apply to temporary activities. NZDF considers the appropriate place to include provisions addressing adverse effects on natural environment values and indigenous biodiversity is in the chapters contained in the Natural Environment Values subsection.	Accept	Topic 1: Natural environment values and temporary activities
149.105	Royal Forest and Bird Protection Society of New Zealand Incorporated	TEMP-O2	Amend	AMEND TEMP-O2.1. to include natural environment values. AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, Temporary Activity provisions do not reflect the adverse effects temporary activities can have on natural environment values and on indigenous biodiversity. E.g. temporary military training activities in areas with indigenous vegetation and habitats could result in trampling and destruction.	Reject	Topic 1: Natural environment values and temporary activities

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FS84.22	NZ Defence Force	TEMP-O2.1	Oppose	Reject the submission point in full.	NZDF considers the appropriate place to include provisions addressing adverse effects on natural environment values and indigenous biodiversity is in the chapters contained in the Natural Environment Values subsection.	Accept	Topic 1: Natural environment values and temporary activities
149.106	Royal Forest and Bird Protection Society of New Zealand Incorporated	TEMP-R2	Amend	DELETE the enabling standard for ancillary buildings and structures from TEMP-R2. AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, Temporary Activity provisions do not reflect the adverse effects temporary activities can have on natural environment values and on indigenous biodiversity. E.g., temporary military training activities in areas with indigenous vegetation and habitats could result in trampling and destruction.	Reject	Topic 5: Temporary activity rules and standards

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FS84.23	NZ Defence Force	TEMP-R2	Oppose	Reject the submission point in full.	<p>Rule TEMP-R2 relates to temporary military training activities. Standard TEMP-R2(b) requires that any ancillary building or structure is removed within seven days of the activity being completed.</p> <p>NZDF must undertake training in order to fulfil its statutory purposes under the Defence Act 1990. At times this can involve the construction of buildings and structures. NZDF therefore considers that these should be permitted as long as they are removed or are otherwise permitted or authorised. As noted above the other Part-2 District-wide matters apply to temporary activities. NZDF considers the appropriate place to include provisions addressing adverse effects on natural environment values and indigenous biodiversity is in the chapters contained in the Natural Environment Values subsection.</p>	Accept	Topic 5: Temporary activity rules and standards
149.107	Royal Forest and Bird Protection Society of New Zealand Incorporated	Temporary Activity rules	Amend	<p>AMEND Temporary Activity rules by adding effects on natural values, the environment and indigenous biodiversity as matters of discretion.</p> <p>AND</p> <p>AMEND Temporary Activity rules so temporary activities are not enabled on sites and within overlays containing indigenous biodiversity.</p> <p>AND</p> <p>Any consequential amendments and alternative relief to address the concerns raised.</p>	As drafted, Temporary Activity provisions do not reflect the adverse effects temporary activities can have on natural environment values and on indigenous biodiversity. E.g. temporary military training activities in areas with indigenous vegetation and habitats could result in trampling and destruction.	Reject	Topic 1: Natural environment values and temporary activities

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FS84.24	NZ Defence Force	Temporary Activities - matters for discretion and rules	Oppose	Reject the submission point in full.	NZDF must be able to train in a variety of environments for diversity and realism in order to be ready and able to respond in a wide range of situations. At times, and for various reasons including logistical Restrictions should be proportionate to effects considerations, TMTA may need to occur on sites containing indigenous biodiversity. NZDF does not consider it necessary or appropriate to have a blanket restriction on TMTA on sites and within overlays containing indigenous biodiversity, particularly when the activity may not have effects on indigenous biodiversity. NZDF considers provisions in the Ecosystems and Indigenous Biodiversity chapter of the Proposed District Plan to be the most appropriate way to address effects on natural values, the environment and indigenous biodiversity.	Accept	Topic 1: Natural environment values and temporary activities
149.108	Royal Forest and Bird Protection Society of New Zealand Incorporated	Temporary Activity standards	Amend	ADD standards for temporary activities in natural environments which protect them from adverse effects to the Temporary Activities chapter. AND Any consequential amendments and alternative relief to address the concerns raised.	As drafted, Temporary Activity provisions do not reflect the adverse effects temporary activities can have on natural environment values and on indigenous biodiversity. E.g. temporary military training activities in areas with indigenous vegetation ...	Reject	Topic 1: Natural environment values and temporary activities

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FS84.25	NZ Defence Force	Temporary Activities - Standards	Oppose	Reject the submission point in full.	<p>The submitter has not specified what standards are sought for temporary activities in natural environments.</p> <p>NZDF considers provisions in the Ecosystems and Indigenous Biodiversity chapter of the Proposed District Plan to be the most appropriate way to address effects on natural values, the environment and indigenous biodiversity.</p>	Accept	Topic 1: Natural environment values and temporary activities
222.48	Kaipara District Council	Temporary Activity rules	Amend	ADD a new rule to the Temporary activities chapter for traffic generation for temporary events.	TRAN-S1 Note 2 states that a traffic generation rule for temporary events is included in this chapter.	Accept in part	Topic 5: Temporary activity rules and standards
268.5	Fuzen Entertainment Limited	TEMP-O1	Support	RETAIN TEMP-O1 as notified. OR Ensure any changes to the definition of "Temporary Activities" do not limit the extent to which temporary activities can occur.	Supports the objective as it highlights that temporary activities contribute to the social, economic and cultural wellbeing of communities in Kaipara. Northern Bass festival has clear social, economic and cultural benefits, contributing to Kaipara annually.	Accept	Topic 3: Temporary activity objectives
268.6	Fuzen Entertainment Limited	TEMP-O2	Amend	AMEND TEMP-O2 to be more specific regarding the extent of effects considered. e.g., functional and operational site management.	The Proposed District Plan should manage relevant adverse effects. Temporary Activities Rules and Standards should be aligned directly to potential adverse effects listed in Policy TEMP-P2 including the functional and operational needs of an activity.	Reject	Topic 3: Temporary activity objectives
268.7	Fuzen Entertainment Limited	TEMP-P1	Support	RETAIN TEMP-P1 as notified. OR Ensure any changes to the definition of "Temporary activities" do not limit the extent to which temporary activities can occur.	Supports the recognition of temporary activities that contribute to social, economic and cultural wellbeing within Kaipara. Northern Bass festival makes such contributions on an annual basis.	Accept	Topic 4: Temporary activity policies

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268.8	Fuzen Entertainment Limited	TEMP-P2	Amend	AMEND the specificity of the adverse effects to be considered in TEMP-P2.	The submitter acknowledges that adverse effects must be managed to enable temporary activities. However, as per the submission on TEMP-O2, TEMP-P2 should be more specific regarding the effects for consideration. It is accepted that noise effects will contribute to amenity and character value within the area. Landscape, however, though not expressly referred to it could be implied, should not be considered as all structures and operations are temporary in nature.	Reject	Topic 4: Temporary activity policies
268.9	Fuzen Entertainment Limited	Temporary Activity rules	Oppose	AMEND the Notes to the Temporary Activity rules to incorporate or cross-reference relevant Transport rules and standards. OR ADD specific transport provisions for temporary activities.	The submitter opposes the lack of transport-related provisions for temporary activities as excluded by Note 1 of the Temporary Activities Rules. The submitter considers this needs to be formally consulted upon as provisions of the whole cannot be assessed as drafted.	Accept in part	Topic 5: Temporary activity rules and standards

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268.10	Fuzen Entertainment Limited	TEMP-R1	Amend	AMEND TEMP-R1 to give greater flexibility to larger events.	<p>If the requested Precinct and Noise Overlay are not accepted, the submitter requests that provisions for temporary activities are amended to better enable the continuation of important activities such as the Northern Bass festival.</p> <p>As drafted, TEMP-R1 is too restrictive and does not enable the operation of Northern Bass as a permitted activity. In particular, duration, hours of operation and timeframes for temporary structures / to return the site to its original condition are too restrictive. If the proposed Precinct and Noise Overlay are not inserted into the PDP, amendments to timeframe provisions are sought to reflect the time it takes to arrange a festival of Northern Bass' scale in Kaipara.</p>	Reject	Topic 5: Temporary activity rules and standards
284.31	New Zealand Defence Force	TEMP-R2	Amend	<p>ADD a Note to the Temporary Activities chapter to clarify the relationship between rules and make it clear that TEMP-R2 is the only rule applying to temporary military training activities, as follows:</p> <p>NOTES: <u>4. Temporary military training activities are only subject to TEMP-R2.</u> OR Wording to similar effect. AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.</p>	Clarification is sought that only specific rules in the Temporary Activities chapter apply to temporary military training activities.	Accept in part	Topic 5: Temporary activity rules and standards

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284.32	New Zealand Defence Force	TEMP-R1	Amend	AMEND TEMP-R1 to clearly identify which activities are subject to this rule, as follows: TEMP-R1 Temporary activities excluding any temporary activity not listed below. OR Wording to similar effect. AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.	There is a lack of clarity in the wording which appears to have a double negative and could apply to temporary military training activities (as an activity listed below this rule).	Accept	Topic 5: Temporary activity rules and standards
284.33	New Zealand Defence Force	Temporary Activity overview	Support	RETAIN the approach set out in the Introduction to the Temporary Activities chapter, specifically the note which provides for temporary military training activities. OR Wording to similar effect. AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.	NZDF supports the note in the introduction which specifically provides for TMTA.	Accept	Topic 2: Temporary activities chapter overview and definitions
284.34	New Zealand Defence Force	TEMP-O1	Support	RETAIN approach set out in TEMP-O1 including recognising the positive contribution of temporary activities. OR Wording to similar effect AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.	It is appropriate to recognise the benefits of temporary activities which contribute to well-being of communities.	Accept	Topic 3: Temporary activity objectives

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284.35	New Zealand Defence Force	TEMP-P1	Support	RETAIN approach set out in TEMP-P1, including recognising the positive contribution of temporary activities. OR Wording to similar effect AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.	It is appropriate to recognise the benefits of temporary activities which contribute to well-being of communities.	Accept	Topic 4: Temporary activity policies
284.36	New Zealand Defence Force	TEMP-P4	Amend	AMEND TEMP-P4 for clarity, as follows: Provide for temporary military training activities for <u>of</u> a limited duration. OR Wording to similar effect. AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.	Amendment will provide clarity to plan users.	Accept	Topic 4: Temporary activity policies

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284.37	New Zealand Defence Force	TEMP-R2	Amend	<p>RETAIN TEMP-R2 which is the permitted activity rule for temporary military training activities in all zones.</p> <p>AND</p> <p>AMEND the standards in TEMP-R2 to better reflect temporary military training activities operational requirements e.g., as follows:</p> <ol style="list-style-type: none"> 1. Activity status: Permitted Where: <ol style="list-style-type: none"> a. The activity does not exceed a duration of 31 <u>consecutive</u> days within a consecutive 12-month period on any site (<u>excluding set up and pack down activities</u>); b. Any ancillary building or structure is removed within seven days of the activity being completed <u>unless provided for elsewhere in this plan as a permitted activity (or resource consents obtained for the structure)</u>; [or alternatively clause b. could be deleted] and c. The activity complies with TEMP-S2 - Temporary Military Training. <p>AND</p> <p>AMEND activity status of TEMP-R2.2. to Controlled rather than Restricted Discretionary.</p> <p>AND</p> <p>AMEND TEMP-R2.3. as follows:</p> <ol style="list-style-type: none"> 3. Matters over which discretion control is restricted <u>reserv</u> 	<ul style="list-style-type: none"> • Including provision for temporary military training activities as permitted activities provides certainty that such activities can take place when required, while providing adequate protection of the environment through compliance with appropriate standards. • In relation to (a), NZDF notes that temporary military training activities are by their nature temporary and can vary in duration depending on the training being undertaken. While some sites may be used more than once, the duration of an exercise is unlikely to exceed 31 consecutive days. It is also appropriate to exclude any set up and pack down activities from this duration limit, because set up and pack down does not generally form part of the temporary military training activities itself. • In relation to (b), NZDF notes that from time to time, and at the landowner’s request, buildings or structures constructed as part of temporary military training activities may be permanent and not removed at the conclusion of the training exercise, provided it is a permitted activity, or a resource consent obtained. Buildings or structures constructed as part of temporary military training activities should not be required to 	Accept in part	Topic 5: Temporary activity rules and standards

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				<p>ed: ... OR Wording to similar effect. AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.</p>	<p>be removed when they are intended to be permanent and meet relevant permitted activity rules in the Plan (or otherwise a resource consent is obtained).</p> <ul style="list-style-type: none"> Controlled activity status provides a level of certainty to NZDF that an activity can proceed and allows Council the control to ensure relevant effects are appropriately managed. The existing matters of discretion can be used as matters of controls. 		
284.38	New Zealand Defence Force	TEMP-S2	Amend	<p>AMEND TEMP-S2 to remove the requirement to provide a noise management plan for temporary military training activities as follows:</p> <ol style="list-style-type: none"> Temporary military training activities in General residential zone involving weapons firing or the use of explosives must provide notice, and a noise management plan prepared by a suitably qualified acoustic engineer, to the Council at least 48 hours prior to the commencement of the activity, with the notice specifying... <p>OR Wording to similar effect. AND Any necessary further alternative or consequential relief as necessary to give effect to the submission.</p>	<p>The requirement to provide a noise management plan is opposed. NZDF consider that while it is unlikely that temporary military training activities involving weapons firing or use of explosives would be undertaken in the General residential zone, notice would be provided to Council of the activity and compliance would be required with the standards in the Noise chapter.</p>	Accept	Topic 5: Temporary activity rules and standards

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304.117	Director General of Conservation	TEMP-O2	Amend	ADD a new clause to TEMP-O2 as follows: <u>3. Ecological values including indigenous vegetation or fauna.</u> AND Any further or alternative relief to like effect to that sought.	As drafted, TEMP-O2 does not provide for managing adverse effects on ecological values including indigenous vegetation or fauna.	Reject	Topic 1: Natural environment values and temporary activities
FS93.225	Royal Forest and Bird Protection Society of New Zealand Incorporated	TEMP-O2	Support	Allow submission point.	The submission seeks to improve provisions and improve outcomes for indigenous biodiversity.	Reject	Topic 1: Natural environment values and temporary activities
308.58	Fire and Emergency New Zealand	TEMP-R1	Support	RETAIN TEMP-R1 as notified, subject to relief sought elsewhere in the submission.	The rule will adequately provide for emergency services training activities across the district.	Accept	Topic 5: Temporary activity rules and standards
309.84	Clarus	TEMP-O1	Support	RETAIN TEMP-O1. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	The provision is necessary and appropriate.	Accept	Topic 3: Temporary activity objectives
309.85	Clarus	TEMP-P1	Support	RETAIN TEMP-P1. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	The provision is necessary and appropriate.	Accept	Topic 4: Temporary activity policies
309.86	Clarus	TEMP-R1	Support	RETAIN TEMP-R1. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	The provision is necessary and appropriate.	Accept in part	Topic 5: Temporary activity rules and standards

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309.143	Clarus	TEMP-O2	Support	RETAIN TEMP-O2. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	The provision is necessary and appropriate.	Accept	Topic 3: Temporary activity objectives
309.144	Clarus	TEMP-P2	Support	RETAIN TEMP-P2. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	The provision is necessary and appropriate.	Accept	Topic 4: Temporary activity policies
309.145	Clarus	TEMP-R3	Support	RETAIN TEMP-R3. AND Any necessary consequential changes to the Proposed District Plan that are required to give effect to the submission.	The provision is necessary and appropriate.	Accept	Topic 5: Temporary activity rules and standards
323.78	KiwiRail Holdings Limited	TEMP-O1	Support	RETAIN TEMP-O1 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	The submitter supports TEMP-O1 and requests it is retained as notified.	Accept	Topic 3: Temporary activity objectives
323.79	KiwiRail Holdings Limited	TEMP-P1	Support	RETAIN TEMP-P1 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	The submitter supports TEMP-P1 and requests it is retained as notified.	Accept	Topic 4: Temporary activity policies
323.80	KiwiRail Holdings Limited	TEMP-O2	Support	RETAIN TEMP-O2 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	The submitter supports TEMP-O2 and requests it is retained as notified.	Accept	Topic 3: Temporary activity objectives

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323.81	KiwiRail Holdings Limited	TEMP-P2	Support	RETAIN TEMP-P2 as proposed. AND any consequential changes to link and/or accommodate the requested change in the stated, or alternate location.	The submitter supports TEMP-P2 and requests it is retained as notified.	Accept	Topic 4: Temporary activity policies
216.39	Cabra Mangawhai Ltd & Pro Land Matters Ltd	Definition of temporary activities	Support	RETAIN the definition of 'Temporary Activities'	The submitter advises that it is important to include a definition in the Proposed District Plan for temporary activities.	Accept	Topic 2: Temporary activities chapter overview and definitions
268.3	Fuzen Entertainment Limited	Definition of temporary activities	Support	RETAIN the definition for Temporary Activities as notified. OR Ensure that any changes to the definition of "Temporary Activities" do not limit the extent to which Temporary Activities can occur.	Supports the definition for Temporary Activities as it reflects the fact that activities are limited in duration and incidence.	Accept	Topic 2: Temporary activities chapter overview and definitions