

## Submission on the Proposed Te Tai o Poutini Plan

**To:** Te Tai o Poutini Plan Committee  
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**Feedback by:** New Zealand Defence Force  
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### 1. Introduction

The New Zealand Defence Force (NZDF) has military interests throughout New Zealand. This includes an Army Regional Office located in Greymouth on the West Coast. There is also the potential for NZDF to need to expand their facilities on the West Coast in the future.

NZDF also undertakes Temporary Military Training Activities (TMTA) on the West Coast, on occasion. For example, NZDF undertook a large TMTA exercise on the West Coast in 2017, known as Southern Katipo. This exercise involved personnel movements, temporary operating bases, aircraft movements and various other training activities. TMTA are a critical component of ensuring that NZDF meets its responsibilities under the Defence Act 1990.

NZDF previously provided feedback on the Exposure Draft and is pleased to see that much of this feedback is reflected in the Proposed Te Tai o Poutini Plan. The submission provided as Attachment 1 below builds on NZDF's earlier feedback provided in March 2022.

### 2. Temporary Military Training Activities

A key matter of importance to the NZDF is the appropriate provision for TMTA within the Proposed Te Tai o Poutini Plan (District Plan). NZDF is undertaking a nationwide project to update the standards for TMTA in district plans and has taken the opportunity to provide feedback and submissions on plan reviews and proposed plan changes throughout the country.

NZDF undertakes TMTA across the country as part of its function of maintaining its operational capacity and nation's security, as well as providing for the well-being, health and safety of communities. TMTA are essential in maintaining capability so that NZDF is ready to respond to a wide range of national and international situations. TMTA can include a range of activities, from office/classroom-based activities to large scale military exercises, and might involve search and rescue, infrastructure support (such as deployment of water purification and supply facilities), bomb deactivation training and weapon firing. TMTA may be undertaken over a period of days or weeks, on an intermittent or continuous basis and during both day and night.

Training activities are carried out "off-base" for a variety of reasons, including diversity and realism. Skills that are learned and practiced "on-base" must be tested or extended in unfamiliar contexts "off base". Due to the broad nature of TMTA and the need for NZDF to train in unfamiliar real-world situations, they may be undertaken in any zone within a district. Therefore, it is important to NZDF that TMTA are provided for in all zones in a district plan, either in a general chapter or on a zone-by-zone basis, depending on the district plan structure. As these activities are uniquely military in nature, it is important that the District Plan includes specific TMTA provisions to address their effects.

In many respects, TMTA are identical to day-to-day and training activities carried out by other emergency services and civilian organisations, such as the Police Force, search and rescue organisations and Fire and Emergency NZ. TMTA may include (but are not restricted to) activities such as, search and rescue, driver training, medical and dental services, camp setup, including field kitchens and ablutions, mall construction tasks, signals (radio communications) exercises, medevac simulation, Civil Defence support and emergency response, Improvised Explosive Device Disposal exercises and dog training. Live and blank firing activities are much less likely to take place than the aforementioned essential activities and are only carried out subject to very stringent and site-specific safety controls.

Noise resulting from discharge of ammunition or explosives is the only unique effect of TMTA that warrants specific management through the District Plan. Activities involving discharge of ammunition generate noise that has quite specific characteristics and require specific management to avoid unnecessary effects on nearby residences. In this regard, NZDF notes that it is standard practice to provide notification to neighbouring landowners prior to the activity occurring, so that landowners are aware that the activity is for training purposes and so that any noise generated is not unexpected. NZDF wishes to ensure that the noise standards included in the District Plan are up-to-date, appropriate for the type of noise generated, and are reasonably simple to understand for compliance purposes.

A detailed submission is provided as Attachment 1.

The submission provided as Attachment 1 builds on NZDF's feedback on the Te Tai o Poutini Exposure Draft provided in March 2022. The key matters of importance to the NZDF outlined in that feedback related to the TMTA provisions and noise standards. As noted above, NZDF is pleased that the Proposed District Plan provisions reflect the earlier feedback provided by NZDF, particularly in regard to ensuring there is a supportive framework for the management of noise effects from TMTA.

We would be happy to meet with you to discuss the matters above and submission points below if that would be helpful.

NZDF **could not** gain an advantage in trade competition through this submission.

NZDF **wishes to be heard** in support of this submission.

If others make a similar submission, **we will consider** presenting a joint case with them at the hearing.

A handwritten signature in black ink, appearing to be 'L. Edwards', written in a cursive style.

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Person authorised to sign  
on behalf of New Zealand Defence Force

Date 11/11/2022

**Attachment 1 – Table 1: NZDF submission**

| Point              | Provision  | Support / Oppose / Amend | Reasons  | Relief Sought   |
|--------------------|--|--------------------------|--|---|
| <b>Definitions</b> |  |                          |  |   |
| 1                  | Definition of Temporary Military Training Activity | Support                  | The proposed definition is consistent with the definition in the National Planning Standards (2019). NZDF supports the inclusion of this definition.   | Retain definition as notified   |
| 2                  | Definition of Temporary Activity                   | Support                  | The proposed definition of temporary activity specifically excludes TMTA, which is supported by NZDF given that the Plan as notified includes a definition of TMTA. TMTA are very different from other temporary events and activities, with different effects that need to be managed.  | Retain definition as notified   |
| 3                  | Definition of Infrastructure                       | Oppose                   | <p>NZDF is undertaking a nationwide project to ensure strategic defence facilities and infrastructure are appropriately recognised and provided for in district plans. Defence facilities are nationally and regionally significant, playing an important role in both military training and civil and/or national defence operations. They are essential in enabling NZDF to meet its obligations under the Defence Act 1990. While NZDF does not currently have major facilities on the West Coast, this does not preclude the need for future defence infrastructure in the area.</p> <p>NZDF therefore requests that any defence facilities in the West Coast region are recognised and provided for in the District Plan as they are in many district plans throughout the country (including the Proposed Selwyn District Plan and the Auckland Unitary Plan Operative in Part).</p> | Add 'defence facilities' to the definition of infrastructure as notified. |
| 4                  | Definition of Critical Infrastructure              | Support                  | NZDF supports that 'defence facilities' are included in the definition of critical infrastructure.   | Retain definition as notified   |
| 5                  | Definition of Emergency Service Facility           | Support                  | NZDF supports the inclusion of this definition, in particular the inclusion of emergency co-ordination facilities.   | Retain definition as notified or wording to similar effect.               |
| 6                  | Definition of Reverse Sensitivity                  | Support                  | NZDF supports the inclusion of this definition.  | Retain definition as notified or wording to similar effect.               |

| Point                               | Provision                 | Support / Oppose / Amend | Reasons  | Relief Sought  |
|-------------------------------------|---------------------------|--------------------------|--|--|
| <b>Objectives and Policies</b>      |                           |                          |  |  |
| 7                                   | Strategic Objective CR-O2 | Support                  | It is important to support the continued function and resilience of critical infrastructure, including NZDF facilities   | Retain Objective as notified or wording to similar effect. |
| 8                                   | Strategic Objective CR-04 | Support                  | It is appropriate to provide for greater infrastructure self - sufficiency and the backup of critical infrastructure on the West Coast/Tai o Poutini.  | Retain Objective as notified or wording to similar effect. |
| 9                                   | Objective INF-O1          | Support                  | NZDF considers that it is important to provide for the safe, efficient and sustainable development, operation and maintenance and upgrading of utilities and infrastructure, to meet the needs of the West Coast/Tai o Poutini.  | Retain Objective as notified or wording to similar effect. |
| 10                                  | Objective INF-O2          | Support                  | It is important to protect infrastructure from the adverse of incompatible subdivision, land use and development.  | Retain Objective as notified or wording to similar effect. |
| 11                                  | Objective INF-O5          | Support                  | It is important for the policy framework to recognise the functional and operational need of infrastructure along with the positive effects of infrastructure on the City, while acknowledging that infrastructure can have adverse effects on the environment which need to be managed. | Retain Objective as notified or wording to similar effect. |
| 12                                  | Policy INF-P1             | Support                  | Recognising the positive social, economic, cultural and environmental benefits from the development, operation and upgrading of infrastructure is important and appropriate.   | Retain Policy as notified or wording to similar effect.    |
| 13                                  | Policy INF-P3             | Support                  | It is important for the Policy framework to require the management of reverse sensitivity effects from subdivision, use and development, on utilities and infrastructure.  | Retain Policy as notified or wording to similar effect.    |
| 14                                  | Objective TEMP - O1       | Support                  | It is appropriate to recognise the benefits of temporary activities, including TMTA, which contribute to the wellbeing of the community.   | Retain Objective as notified or wording to similar effect. |
| 15                                  | Policy TEMP – P2          | Support                  | It is important for NZDF to be able to undertake TMTA across a wide range of locations while ensuring effects on amenity values and the environment are minimised.   | Retain Policy as notified or wording to similar effect.    |
| <b>Rules and Activity Standards</b> |                           |                          |  |  |
| 16                                  | Rule TEMP - R1 Permitted  | Support                  | It is appropriate to provide for TMTA as a permitted activity in the District-wide Matters Chapter, which applies across all zones in the Plan.  | Retain permitted activity rule status as notified.         |

| Point | Provision                   | Support / Oppose / Amend | Reasons  | Relief Sought   |
|-------|-----------------------------|--------------------------|--|---|
|       | Activity Status             |                          |  |   |
| 17    | Rule TEMP - R1 Standard (1) | Support with amendment   | <p>TMTA are by their very nature temporary, ranging from a period of days through to several weeks on an intermittent or continuous basis depending on the nature of the activity. NZDF does not consider it necessary or appropriate to impose a time limit on TMTA as per TEMP – R1 Standard (1).</p> <p>However, NZDF would support an amendment to this standard to allow TMTA to be undertaken so as not exceed a period of 31 consecutive days (excluding set up and pack down activities). This would also ensure a consistent approach to TMTA is adopted nationwide. Many district plans around the country are being or have been reviewed and NZDF is engaging in those review processes to ensure that where training activities might be subject to controls through a district plan, those controls are consistent, and that compliance is simply achieved and assessed.</p>       | <p>Amend Standard TEMP – R1 Standard (1) to state (additions shown underlined):</p> <p>These are for a maximum of 31 <u>consecutive days per year; (excluding set up and pack down activities);</u></p>   |
| 18    | Rule TEMP - R1 Standard (2) | Support                  | <p>From time to time, and at the landowner’s request, buildings or structures constructed as part of a TMTA 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 TMTA should not be required to 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 in accordance with the relevant Plan rules).</p> <p>This is foreshadowed by the explanatory note in the Temporary Activities Rules section which states that <i>“there may be a number of Plan provisions that apply to an activity, building, structure and site. In some cases, consent may be required under rules in this Chapter as well as rules in other Chapters in the Plan.”</i></p> | Retain Standard as notified or wording to similar effect.   |
| 19    | Rule TEMP R1 Standard (3)   | Support                  | Occasionally TMTA involve minor earthworks. As above, this should be recognised and provided for where relevant permitted activities elsewhere in the Plan can be complied with, or a resource consent is obtained.  | Retain Standard as notified or wording to similar effect.   |
| 20    | Rule TEMP R1 Standard (4)   | Amend                    | <p>NZDF seeks to amend Permitted Activity Standard (4), which states that TMTA is a permitted activity where these “do not occur on a Site or Area of Significance to Māori identified in Schedule Three”.</p> <p>This standard is not consistent with TMTA Permitted Activity Rules in other district plans across New Zealand. Furthermore, this standard contradicts Rule SASM - R5 Standard (2), which states that Temporary Events on Sites and Areas in Schedule Three - Sites and Areas of Significance to Māori that are temporary events and activities in accordance with the Temporary Activities Chapter are a permitted activity, providing they comply with Standard (3), which requires that for</p>  | <p>Amend Standard (4) to state:</p> <p>These do not occur on a Site or Area of Significance to Māori identified in Schedule Three <u>unless written approval from the relevant Poutini Ngāi Tahu rūnanga is provided to the relevant District Council at least 10</u></p> |

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|-------|---|--------------------------|--|--|
|       |   |                          | works on listed SASM, written approval from the relevant Poutini Ngāi Tahu rūnanga is provided to the relevant District Council at least 10 working days prior to the activities commencing.   | <u>working days prior to the activities commencing.</u>    |
| 21    | Rule TEMP – R7 - Controlled Activity Status | Support                  | NZDF supports a Controlled Activity status for TMTA that do not meet the Permitted Activity standards of Rule TEMP R1. NZDF considers that this activity status is appropriate where the effects are known, and should apply when any of the permitted activity standards are not met (i.e. standards (1) – (4)), noting that as per Submission Point 20, NZDF requests that Permitted Activity Standard (4) is amended.   | Retain Rule and controlled activity status as notified     |
| 22    | Rule TEMP - R7 Matters of Control           | Oppose                   | <p>The matters of control for TMTA that require consent as a controlled activity, as listed under TEMP-R7 are not considered suitable or appropriate given the inherent nature of TMTA. TMTA are temporary by their very nature and may include a broad range of activities as outlined in the introduction to this submission. Many TMTA have effects similar to other day-to-day activities and training activities carried out by other emergency services and civilian organisations, such as the Police Force, search and rescue organisations and Fire and Emergency NZ.</p> <p>The only effect from TMTA which requires specific management is noise. In this regard, NZDF has developed appropriate controls to manage noise effects from TMTA outlined in Submission Point 28 below.</p> <p>Given the nature of TMTA i.e. that they are not public events held in public spaces and outdoor events venues, it is not appropriate to require resource consent applications for TMTA to consider the adverse effects on visual amenity from neighbouring properties or public places. Similarly, it is not appropriate to require assessment of traffic safety. Depending on the nature of a TMTA, they may not involve any traffic movements or effects on pedestrians. The assessment criteria as notified may be more appropriate for other temporary events, such as parades held on public streets or in public spaces, or community, recreational or sporting orientated events but are not considered to be relevant to TMTA, which are very closely managed by NZDF and do not generally give rise to any particular traffic or visual amenity effects.</p> <p>The location and design of TMTA are tightly controlled, and reflect the specific activities being undertaken. The requirement for Council to have control over the location and design of TMTA is overly onerous and would be more appropriate in relation to permanent activities / structures.</p> | Delete the matters of control as notified.                 |
| 23    | Objective NOISE - O1                        | Support                  | It is appropriate to recognise the benefits of noise generating activities and provide for these in a way that is compatible with the role, function and character of each zone.   | Retain Objective as notified or wording to similar effect. |
| 24    | Objective NOISE - O2                        | Support                  | It is appropriate that the function and operation of existing and permitted noise generating activities are not compromised by reverse sensitivity effects from noise-sensitive activities.  | Retain Objective as notified or wording to similar effect. |

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|-------|-------------------------------|--------------------------|---|--|
| 25    | Rule NOISE – R1               | Support                  | NZDF supports the noise from helicopter landing areas being a permitted activity in all zones provided that it meets the recommended limits and noise management provisions as set out in NZS 6807: 1994 Noise Management and Land Use Planning for Helicopter Landing Areas. This is consistent with NZDF's bespoke noise standards for TMTA.  | Retain Rule as notified.   |
| 26    | Rule NOISE – R2 (3)           | Support                  | NZDF supports that compliance with the relevant noise standards does not apply to activities at emergency service facilities associated with emergency response and emergency response training.  | Retain Clause as notified.   |
| 27    | Rule NOISE – R2 (4)           | Support                  | NZDF supports that compliance with the relevant noise standards does not apply to helicopter movements associated with an emergency.  | Retain Clause as notified  |
| 28    | Rule NOISE – R4               | Support                  | NZDF supports a specific permitted activity rule for TMTA noise in the District Plan and the noise standards outlined in this Rule with respect to TMTA, which reflect NZDF's bespoke noise standards specifically developed to manage the particular noise characteristics of TMTA. The standards provide appropriate controls to manage noise effects from TMTA (which include minimum separation distances and peak sound levels for both daytime and night-time periods), as well as NZDF's standard practice of informing nearby landowners and occupiers of properties. Based on these control methods, adverse noise effects in any zone can be appropriately mitigated. | Retain Rule as notified.   |
| 29    | Rule NOISE – R10 Standard (6) | Support                  | NZDF supports Rule R10 Standard (6) which specifies that Standard 4 (noise generated from aircraft operations at Hokitika Airport) and Standard 5 (noise generated from helicopter operations at Franz Josef Heliport) does not apply to:<br>.....<br>(d) Military aircraft movements;<br>.....   | Retain Standard as notified.   |
| 30    | Rule NC – R1                  | Amend                    | NZDF seeks to amend Rule NC – R1 to provide for Indigenous Vegetation Clearance and Earthworks within the Riparian Margin of a River, Lake or Wetland associated with bridges and / or dams constructed as part of TMTA, as a permitted activity.   | Amend Rule NC – R1 to state:<br>Activity Status Permitted<br>1. Where this is outside of any Significant Natural Area identified in Schedule Four, and for:<br>..... |



| Point | Provision                                       | Support / Oppose / Amend | Reasons  | Relief Sought   |
|-------|---|--------------------------|--|---|
|       |   |                          |  | <u>k. bridges and / or dams constructed as part of a Temporary Military Training Activity</u>   |
| 31    | Rule NC – R2                                    | Amend                    | NZDF seeks to amend Rule NC – R2 to provide for bridges and/or dams constructed within the Riparian Margin of a River, Lake or Wetland, as part of TMTA, as a permitted activity.  | Amend Rule NC – R2 to state:<br>Activity Status Permitted<br>1. Where the buildings and structures are:<br>.....<br>h. <u>Bridges and / or dams constructed as part of a Temporary Military Training Activity</u>   |
| 32    | Rule NFL – R8                                   | Amend                    | NZDF seeks to amend Rule NFL – R8 to provide for bridges and / or dams constructed within an Outstanding Natural Landscape described in Schedule Five, as part of TMTA, as a permitted activity.   | Amend Rule NFL – R8 to state:<br>Activity Status Permitted<br>Where the structure is:<br><u>7. A bridge and / or a dam constructed as part of a Temporary Military Training Activity</u>  |
| 33    | Coastal Environment Rule – Permitted Activities | Amend                    | NZDF requests that a new rule is included in the Coastal Environment Chapter of the Proposed Plan to provide for TMTA as a permitted activity, providing compliance with relevant permitted activity standards and buildings and structures associated with TMTA meet the permitted activity standards of CE-R4 to CE – R11 as relevant. | Include a new Rule CE - RX to state:<br><u>Temporary Military Training Activity within the Coastal Environment</u><br><u>Activity Status Permitted</u><br><i>Advice Note:</i><br>1. <u>Any indigenous vegetation clearance associated with a Temporary Military Training Activity is subject to the provisions in the Ecosystems and Indigenous Biodiversity Chapter.</u><br>2. <u>Works shall not undermine or have an adverse effect on</u> |

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|-------|--------------|--------------------------|---|--|
|       |              |                          |   | <p><u>any hazard mitigation /protection measure that exists within the coastal environment.</u></p> <p><u>3. All buildings and structures associated with TMTA shall meet the permitted activity standards of CE-R4 to CE – R11 as relevant.</u></p> <p><u>4. Where activities occur within Scheduled areas included within other Overlay Chapter Areas, then the relevant Overlay Chapter Rules also apply.</u></p> <p><u>Activity status where compliance not achieved: Restricted Discretionary</u></p> |
| 34    | Rule EW – R2 | Oppose                   | <p>Rule EW - R2 includes provision for permitted earthworks across all zones for a small number of specifically listed activities only. Rules EW – R3 – R6 outline additional permitted earthworks across the respective District Plan zones.</p> <p>The effect of Rule EW – R2 appears to be that earthworks for activities which are not specifically identified would require consent, regardless of how minor / small-scale these earthworks are, including where they meet the permitted activity standards in Rule EW – R1. Similarly, earthworks for activities which are permitted in Rules EW R3 – R6 may require consent under Rule EW – R2. This does not reflect an ‘effects-based’ approach as anticipated by the RMA.</p> | <p>Review the general permitted activity earthworks rules to ensure that all activities that comply with the relevant standards can proceed on a permitted activity basis i.e. not just the activities that are specifically identified.</p> <p>Delete Rule EW – R2 and include the standards in Rule EW – R2 in the other earthworks rules as appropriate.</p>  |