

Form 6 Further submission in support of, or in opposition to, submission
on notified proposed policy statement or plan, change or variation

Clause 8 of Schedule 1, Resource Management Act 1991

To: Whakatāne District Council

Name of person making further submission: New Zealand Defence Force

This is a further submission in support of (or in opposition to) a submission on the following change proposed to the plan, (the **proposal**):

Whakatāne District Plan, Plan Change 1 (Awatarariki Fanhead, Matatā)

The New Zealand Defence Force (NZDF) represents a relevant aspect of the public interest, and also has an interest in Plan Change 1 (PC1) that is greater than the interest held by the general public.

I support (or oppose) the submission of:

Refer to attached Table.

The particular parts of the submission I support (or oppose) are:

Refer to attached Table.

The reasons for my support (or opposition) are:

Refer to attached Table.

I seek that the whole (or part [*describe part*]) of the submission be allowed (or disallowed):

Refer to attached Table.

Hearing submissions:

I wish to be heard in support of my further submission.

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

Signature of person making further submission:

(or person authorised to sign on behalf of person making further submission)

Date: 11 December 2018

(A signature is not required if you make your submission by electronic means)

Contact Details:

Electronic address for service of person making further submission:

rebecca.davies@nzdf.mil.nz

Telephone: 021 445 482

Postal address (or alternative method of service under section 352 of the Act):

New Zealand Defence Force
C/- Tonkin + Taylor
PO Box 2083
Wellington 6140
Contact person: Rebecca Davies

Note to person making further submission

A copy of your further submission must be served on the original submitter within 5 working days after it is served on the local authority.

Please note that your submission (or part of your submission) may be struck out if the authority is satisfied that at least 1 of the following applies to the submission (or part of the submission):

- it is frivolous or vexatious:
- it discloses no reasonable or relevant case:
- it would be an abuse of the hearing process to allow the submission (or the part) to be taken further:
- it contains offensive language:
- it is supported only by material that purports to be independent expert evidence, but has been prepared by a person who is not independent or who does not have sufficient specialised knowledge or skill to give expert advice on the matter.

Further Submission on Proposed Plan Change 1 of the Whakatāne District Plan

To: Whakatāne District Council

Address: Policy Planner
Whakatāne District Council
Private Bag 1002, Whakatāne 3158

Email: planning@whakatane.govt.nz

Submitter: New Zealand Defence Force

Contact Person: Rebecca Davies

Address for Service: New Zealand Defence Force
C/- Tonkin + Taylor
PO Box 5271
Wellesley Street
Auckland 1141

Phone: 021 445 482

Email: rebecca.davies@nzdf.mil.nz

A detailed further submission is attached.

The New Zealand Defence Force (NZDF) represents a relevant aspect of the public interest¹, and also has an interest in Plan Change 1 (PC1) that is greater than the interest held by the general public. This interest specifically relates to the provision for temporary military training activities (TMTAs) within the proposed Awatarariki Debris Flow Policy Area.

NZDF undertakes TMTA as part of its function of maintaining the nation's security, maintaining NZDF operational capacity and providing for the well-being, health and safety of communities. TMTA can include a range of activities, from office/classroom based activities to large scale military exercises, and might involve search and rescue operations, infrastructure support (such as deployment of water purification and supply facilities as used in the aftermath of the Canterbury earthquakes), bomb deactivation training, small construction tasks, weapons firing, personnel movement etc. They may be undertaken over a period of days or weeks, on an intermittent or continuous basis, and during both day and night.

The key matter of importance to NZDF is the appropriate provision for TMTA within the Whakatāne District Plan. NZDF is concerned that the changes proposed in PC1 may unduly restrict its abilities to carry out TMTA in the area affected by PC1. As currently drafted, the rules under Section 18.2.6 would mean TMTA within the 'high risk' area is a prohibited activity and TMTA within the 'medium risk' area would require resource consent. NZDF does not consider these restrictions are necessary for TMTA and TMTA should fall within the

¹ Set out in section 5 of the Defence Act 1990

identified exceptions to the rule. TMTA are by their nature temporary and to provide for them in the Awatarariki Debris Flow Policy Area would be consistent with the proposed Policy 19. TMTA are also similar in nature to the exemptions proposed under PC1, in that they are generally transitory and do not involve the erection of permanent structures. TMTA are currently provided for elsewhere in the district under Chapter 11 – General Provisions of the Whakatāne District Plan.

NZDF **wishes to be heard** in support of its further submission.

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

A copy of this further submission has been sent to each person who made the original submission.

Rebecca Davies
Senior Environmental Officer (Planner)
Defence Estate and Infrastructure

Original Submitter's Name	#	Support or Oppose	Section Reference and Summary of Submission	Reason	Decision Sought (Proposed additions <u>underlined</u>)
KiwiRail Holdings Limited	OS4.1 OS4.2	Support	18.2.6 Amend rules in Section 18.2.6 as they could restrict network utility works.	<p>NZDF undertakes TMTA as part of its function of maintaining the nation's security, maintaining NZDF operational capacity and providing for the well-being, health and safety of communities. TMTA can include a range of activities, from office/classroom based activities to large scale military exercises, and might involve search and rescue operations, infrastructure support (such as deployment of water purification and supply facilities as used in the aftermath of the Canterbury earthquakes), bomb deactivation training, small construction tasks, weapons firing, personnel movement etc. They may be undertaken over a period of days or weeks, on an intermittent or continuous basis, and during both day and night. The key matter of importance to NZDF is the appropriate provision for TMTA within the Whakatāne District Plan.</p> <p>KiwiRail Holdings Limited (KiwiRail) has made a submission that opposes in part proposed rules under Section 18.2.6 as they have the potential to restrict network utility works.</p> <p>NZDF supports this submission, which is to amend the rules of PC1 to allow certain activities to be undertaken within the Awatarariki High Risk Debris Flow Policy Area.</p> <p>As currently drafted, the rules under Section 18.2.6 would mean TMTA within the 'high risk' area is a prohibited activity and TMTA within the 'medium risk' area would require resource consent. TMTA may be required to be undertaken within this area for a number of reasons as set out above. NZDF seek for TMTA to be provided for within the Awatarariki High Risk Debris Flow Policy Area and Awatarariki Medium</p>	<p>Allow the submission and also add TMTA as a permitted activity to Rules 18.2.6.3 and 18.2.6.6 and as a restricted discretionary activity to 18.2.6.4.</p> <p>Amend 18.2.6.3 to include:</p> <p><u>i) Temporary Military Training Activities that comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p> <p>Amend 18.2.6.4 to include:</p> <p><u>b) Temporary Military Training Activities that do not comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p> <p>Amend 18.2.6.6 to include:</p> <p><u>d) Temporary Military Training Activities that comply with the relevant</u></p>

				<p>Risk Debris Flow Policy Area as it is provided for elsewhere in the district under the Whakatāne District Plan (as a permitted activity subject to noise standards, and a restricted discretionary activity where these standards are not met).</p>	<p><u>noise standards in Table 11:2 Specific Activity Noise Limits.</u></p>
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Nola Neale	OS3.1	Support	Opposes PC1 in its entirety and suggests the rules within PC1 are far too stringent.	<p>NZDF also has concerns that the rules within PC1 are too restrictive. As noted above, PC1 as it is currently drafted would severely restrict the potential operations of NZDF within the Awatarariki High Risk Debris Flow Policy Area and Awatarariki Medium Risk Debris Flow Policy Area.</p> <p>NZDF seeks for TMTA to be provided for within the Awatarariki High Risk Debris Flow Policy Area and Awatarariki Medium Risk Debris Flow Policy Area as it is provided for elsewhere in the district under the Whakatāne District Plan (as a permitted activity subject to noise standards, and a restricted discretionary activity where these standards are not met).</p>	<p>Amend 18.2.6.3 to include:</p> <p><u>i) Temporary Military Training Activities that comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p> <p>Amend 18.2.6.4 to include:</p> <p><u>b) Temporary Military Training Activities that do not comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p> <p>Amend 18.2.6.6 to include:</p> <p><u>d) Temporary Military Training Activities that comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p>
Awatarariki Residents Incorporated	OS7.5	Support	18.2.6 Opposes PC1 and seeks amendments to rules in 18.2.6	<p>NZDF generally echoes the views of this submitter who suggests the rules within PC1 are too restrictive and seeks amendments to the rules under 18.2.6. As noted above, PC1 as it is currently drafted would severely restrict the potential operations of NZDF within the Awatarariki High Risk Debris Flow Policy Area and Awatarariki Medium Risk Debris Flow Policy Area.</p> <p>NZDF seeks for TMTA to be provided for within the Awatarariki</p>	<p>Amend 18.2.6.3 to include:</p> <p><u>i) Temporary Military Training Activities that comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p>

				<p>High Risk Debris Flow Policy Area and Awatarariki Medium Risk Debris Flow Policy Area as it is provided for elsewhere in the district under the Whakatāne District Plan (as a permitted activity subject to noise standards, and a restricted discretionary activity where these standards are not met).</p>	<p>Amend 18.2.6.4 to include:</p> <p><u>b) Temporary Military Training Activities that do not comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p> <p>Amend 18.2.6.6 to include:</p> <p><u>d) Temporary Military Training Activities that comply with the relevant noise standards in Table 11:2 Specific Activity Noise Limits.</u></p>
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