

**SUBMISSION ON THE PROPOSED REGIONAL POLICY STATEMENT FOR THE
WELLINGTON REGION 2009**

To: Freepost 118112
Proposed Regional Policy Statement for Wellington
Greater Wellington Regional Council
PO Box 11646
WELLINGTON 6142

Submission on: Proposed Regional Policy Statement for Wellington

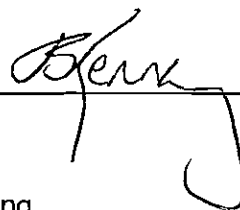
Name of Submitter: New Zealand Defence Force

Address of Submitter: C/- Tonkin & Taylor Limited
P O Box 2083
WELLINGTON
Attention: Sally Marx

Phone: 04 381 8573
Fax: 04 381 2908
Email: smarx@tonkin.co.nz

1. The full details of the submission and the decisions sought from Council are contained in the attached paper.
2. New Zealand Defence Force wishes to be heard in support of this submission.

Signature:



Date:

8 Jun 09

Colonel Bruce Kenning
Group Manager Property Group
Joint Logistics & Support Organisation
HQNZDF

1 Introduction

The following submission is made by New Zealand Defence Force ("NZDF") on the Proposed Regional Policy Statement for the Wellington Region (the Proposed RPS).

NZDF is charged with the defence of the nation, the security of its interests, and the protection of its fundamental values and institutions. NZDF is spread across camps and bases throughout New Zealand.

NZDF's facilities and infrastructure in the Wellington region include:

- the national strategic headquarters,
- the operational joint headquarters at Trentham in Upper Hutt at which the following activities are undertaken: accommodation, training, workshops, rifle ranges and limited training,
- air movements terminal,
- Improvised Explosives Device Disposal (IEDD) base,
- naval reserve; and,
- Watts Peninsula on which are located sites of historic heritage as identified in the Wellington City District Plan.

NZDF has assessed the Proposed RPS in the above context.

2 General Submission on the Proposed RPS

NZDF supports the general intent of the Proposed RPS.

However, NZDF is concerned that whilst the Proposed RPS explicitly recognises certain infrastructure as being of regional significance (e.g. under the explanations to Policies 6, 7 and 38 and in the definition of the term 'regionally significant infrastructure'), NZDF's physical infrastructure is not recognised. NZDF acknowledges use of the word 'includes' in the context of explicitly identifying regionally significant infrastructure does not preclude NZDF's infrastructure. However, NZDF considers certainty is required.

NZDF is charged with the defence of the nation, the security of its interests, and the protection of its fundamental values and institutions. NZDF's physical infrastructure within the Wellington region is regionally, and indeed, nationally, significant in this context. Infrastructure in the Wellington region represents an investment of many millions of dollars which provides operational and training facilities which would be extremely difficult, if not impossible to replace, should they be compromised by inappropriate decision-making under the RMA.

NZDF seeks that its regionally (and nationally) significant infrastructure is duly recognised in the Proposed RPS and appropriately cross referenced with related policies throughout the Proposed RPS (e.g. cross referencing of specific Air Quality, Coastal Environment and other relevant policies with Infrastructure Policies 6, 7 and 38).

In addition, NZDF seeks for Greater Wellington Regional Council (GWRC) to take the following specific comments into account. The specific submission points seek amendments to text within the Proposed RPS. Text with a ~~strike through~~ indicates those provisions which NZDF seeks to be deleted whilst text underlined is sought for inclusion in the Proposed RPS.

3 Specific Submission on the Proposed RPS

3.1 Air Quality Issues and Objectives 1 and 2, pages 16 & 17

3.1.1 Submission

NZDF supports the intent of the regionally significant Air Quality Issues and Air Quality Objectives 1 and 2 in the Proposed RPS. The issues and objectives are generally appropriate and reasonable.

However, NZDF considers the reference to '*domestic fire and backyard burning*' in Issue 1(b) is overly specific. NZDF considers the Issue is not solely related to domestic smoke generators.

3.1.2 Decision sought

NZDF seeks for GWRC to **retain**:

- the intent of the Air Quality Issues and Air Quality Objectives 1 and 2.

NZDF seeks for GWRC to **amend**:

- Issue 1b as follows:

smoke from domestic fires and backyard burning.

3.2 Air Quality Policy 1, page 80

3.2.1 Submission

NZDF supports the intent of Policy 1 but considers it should be strengthened and made more directive by requiring district plans to restrict, rather than discourage, the location of new sensitive activities near activities with existing emissions.

Policy 1a discourages new sensitive activities near existing emission sites which can affect health and lower amenity values. NZDF considers the establishment of such a two tier test is too enabling (in the context of reverse sensitivity effects) for new sensitive land uses to locate near existing emission sites. This may result inappropriate activities locating near established emission sites and the proliferation of reverse sensitivity effects. NZDF considers Policy 1a should be amended to restrict new sensitive activities near existing emission sites which can affect health and/or lower amenity values.

The Proposed RPS does not provide a consideration policy relating to air quality and reverse sensitivity issues. NZDF notes that Policy 1 would only apply to those regulatory plans that have been reviewed post notification of the Proposed RPS. There is the potential for a long gap until Policy 1 has to be given effect to in some regulatory plans due to review timeframes. NZDF considers such a consideration policy should be included in the Proposed RPS to ensure this issue is given particular regard to and consistently addressed throughout the Wellington region when considering regulatory approvals and plan changes/ variations or replacements.

The reference to '*backyard*' burning in the explanation to Policy 1 is overly specific. Such an explicit reference could exclude for example, NZDF's occasional fire training exercises. NZDF considers the term '*backyard*' should be deleted from the explanation. Burning of material in general is the activity which may affect sensitive activities and which district plans will be attempting to manage.

Notwithstanding the relief sought at submission point 3.3.2, NZDF supports the cross referencing of Policy 1 to Policies 6, 7 and 38 which relate to regionally significant

infrastructure. NZDF also considers a new consideration policy relating to the protection of regionally significant infrastructure, as sought under submission point 3.8.2, should also be cross referenced under Policy 1.

3.2.2 Decision sought

NZDF seeks for Council to **retain**:

- the intent of Policy 1.
- the explicit cross referencing of Policy 1 with Policies 6, 7 and 38.

NZDF seeks for Council to **amend**:

- Policy 1 as follows:

Policy 1: Reverse sensitivity associated with odour, smoke and dust – district plans

*District plans shall include policies and/or rules that ~~discourage-restrict~~:
(a) new sensitive activities locating near land uses or activities that emit odour, smoke or dust, which can affect the health of people and/or lower the amenity values of the surrounding area; and*

- the explanation (bullet point 2) to Policy 1 as follows:

activities which emit or cause smoke such as ~~backyard~~ burning.

NZDF seeks for Council to **add**:

- a new consideration policy relating to air quality and reverse sensitivity effects which must be given particular regard to when assessing and deciding upon resource consents, notices of requirement or when changing, varying or replacing city, district or regional plans.
- a cross reference to a new consideration policy for the protection of regionally significant infrastructure, as sought under submission point 3.8.2, to Policy 1.

3.3 Energy, Infrastructure and Waste – chapter overview

3.3.1 Submission

NZDF is charged with the defence of the nation, the security of its interests, and the protection of its fundamental values and institutions.

NZDF's physical infrastructure within the Wellington region is regionally, and indeed, nationally, significant in this context. The facilities represent an investment of many millions of dollars and provide operational and training facilities which would be extremely difficult, if not impossible to replace, should they be compromised by inappropriate decision-making under the RMA.

Policies 6, 7 and 38, and the definitions chapter explicitly identify regionally significant infrastructure. NZDF recognises the abovementioned provisions states that regionally significant infrastructure *includes* the listed infrastructure. Therefore there is scope that NZDF's regionally significant infrastructure could benefit from these provisions. However, certainty is required.

3.3.2 Decision sought

NZDF seeks for GRWC to **add**:

- NZDF's infrastructure to the list of regionally significant infrastructure as identified in the explanation to Policies 6, 7 and 38, and in the definition of 'regionally significant infrastructure' as follows:

New Zealand Defence Force infrastructure

3.4 Energy, Infrastructure and Waste – Issue and Objective, page 29, 31 and 32

3.4.1 Submission

NZDF supports the inclusion of the regionally significant Infrastructure Issue and Objective 10 in the Proposed RPS. The recognition of regionally important infrastructure and the protection of that infrastructure is appropriate.

3.4.2 Decision sought

NZDF seeks for GRWC to **retain**:

- the Infrastructure Issue and Objective 10.

3.5 Energy, Infrastructure and Waste – Policy 6, page 83

3.5.1 Submission

Notwithstanding the relief sought under section 3.3.2 in this submission, NZDF supports the intent of Policy 6. NZDF considers the requirement for district and regional plans to include policies which recognise:

- a) the social, economic, cultural and environmental benefits of such infrastructure including . . .*
- (ii) public health and safety is maintained through the provision of essential services .*

is appropriate.

3.5.2 Decision sought

Subject to submission point 3.3.2, NZDF seeks for GRWC to **retain**:

- the intent of Policy 6.

3.6 Energy, Infrastructure and Waste – Policy 7, page 83

3.6.1 Submission

Notwithstanding the relief sought under section 3.3.2 in this submission, NZDF supports the intent of Policy 7. NZDF considers the requirement for district and regional plans to include policies and rules to protect regionally significant infrastructure from incompatible new land uses or activities under, over, or alongside is appropriate.

3.6.2 Decision sought

Subject to submission point 3.3.2, NZDF seeks for GRWC to **retain**:

- the intent of Policy 7.

3.7 Energy, Infrastructure and Waste – Policy 38, page 105

3.7.1 Submission

Notwithstanding the relief sought under section 3.3.2 in this submission, NZDF supports the intent of Policy 38. NZDF considers the recognition of the benefits of regionally significant infrastructure in the consideration of regulatory approvals and plan changes/ variations or replacements is appropriate.

3.7.2 Decision sought

Subject to submission point 3.3.2, NZDF seeks for GRWC to **retain**:

- the intent of Policy 38.

3.8 Energy, Infrastructure and Waste – new policy

3.8.1 Submission

The Infrastructure Issue and related Objective (10) seek to recognise and protect regionally significant infrastructure. NZDF notes the inclusion of Policy 38 which seeks to recognise the benefits of such infrastructure. However, there is no corresponding consideration policy which seeks to protect regionally significant infrastructure in the consideration of regulatory approvals and plan changes/ variations or replacements. The inclusion of such a consideration policy would ensure all reverse sensitivity effects are considered at the regulatory approval stage.

3.8.2 Decision sought

Subject to submission point 3.3.2, NZDF seeks for GRWC to **add**:

- a new consideration policy which seeks to protect regionally significant infrastructure at the regulatory approval stage.

3.9 Historic Heritage, Policy 21, page 91

3.9.1 Submission

NZDF supports the intent of Policy 21 which seeks to protect historic heritage from inappropriate subdivision, use and development. In particular, NZDF supports the clarification that Policy 21 is not intended to prevent change and that the protection of regionally significant infrastructure (through cross referencing with Infrastructure Policy 7) is also to be considered under Policy 21.

3.9.2 Decision sought

Subject to submission point 3.3.2, NZDF seeks for GRWC to **retain**:

- the intent of Policy 21.

3.10 Historic Heritage, Policy 45, page 110

3.10.1 Submission

NZDF supports the intent of Policy 45 which seeks to manage effects on historic heritage values when considering an application for resource consent, notice of requirement, or a change, variation or replacement to a district or regional plan. In particular, NZDF supports the cross referencing of Infrastructure Policy 38, which seeks to recognise the benefits of

regionally significant infrastructure. NZDF considers a new consideration policy which seeks to protect regionally significant infrastructure (as sought under 3.8.2) should also be cross referenced with Policy 45.

3.10.2 Decision sought

Subject to submission point 3.3.2, NZDF seeks for GRWC to **retain**:

- the intent of Policy 45.

NZDF seeks for GRWC to **add**:

- a cross reference to Policy 45 with a new consideration policy for the protection of regionally significant infrastructure sought under submission point 3.3.2.

3.11 **Soils and Minerals, Policy 33, page 99**

3.11.1 Submission

NZDF supports the intent of Policy 33 which directs city and district councils to include policies and rules in their district plans to control land uses on contaminated land. In particular, NZDF supports the certainty that Policy 45 provides in respect of jurisdiction between city/district and regional councils.

3.11.2 Decision sought

NZDF seeks for GRWC to **retain**:

- the intent of Policy 33.

3.12 **Hazardous Substances, Policy 63, page 126**

3.12.1 Submission

NZDF supports the intent of Policy 63 which allocates responsibilities for hazardous substances between the regional council and the region's city/district councils. In particular, NZDF supports the certainty that Policy 63 provides in respect of jurisdiction between city/district and regional councils.

3.12.2 Decision sought

NZDF seeks for GRWC to **retain**:

- the intent of Policy 63.