

9 May 2025

Mackenzie District Council
53 Main Street
Fairlie 7925
C/- Fiona Hardie, Administration Support Officer – District Plan
Via email: fiona.hardie@mackenzie.govt.nz

Attention: Hearings Panel

MACKENZIE DISTRICT PLAN REVIEW STAGE 4 - HEARING ON PROPOSED PLAN CHANGES 27 - 30

The New Zealand Defence Force (NZDF) is a submitter on proposed Plan Changes 27 - 30 to the Mackenzie District Plan (District Plan), scheduled for hearing commencing 26 May 2025. NZDF has reviewed the section 42A reports and, does not intend to attend the hearing, but requests that this letter be tabled with the Hearings Panel.

1. Plan Change 28 and Variations: Hazards and Risks, Historic Heritage and Notable Trees

1.1 Definition of ‘critical infrastructure’

- 1.1.1 NZDF supports the inclusion of New Zealand Defence Force facilities in the definition of ‘critical infrastructure’, but seeks amendments to the definition to ensure that it does not capture temporary military training activities (TMTA) (submission point 65.01). The section 42A Report author agrees the definition is not intended to capture temporary buildings and structures such as those used for military training and recommends an amendment to the definition (paras 53 and 59). NZDF generally supports the recommended amendment, but suggests retaining the term ‘facilities’ is more appropriate and consistent with other plans and policy documents than ‘buildings and structures’, provided TMTA are clearly excluded. NZDF requests the following wording (tracked against the notified version):

1. New Zealand Defence Force facilities (excluding temporary buildings and structures used for temporary military training activities)

1.2 Definition of ‘natural hazard sensitive building’

- 1.2.1 NZDF seeks to amend the definition of natural hazard sensitive building to exclude temporary buildings (submission point 65.02). The section 42A Report author recommends the definition be retained as notified but noted that the section 42A Report for Plan Change 29 recommended amending the introduction statement of the Temporary Activities Chapter to state that the District Wide Chapters do not apply to temporary activities (paras 71 and 76). Provided this Plan Change 29 section 42A

report recommendation is implemented, NZDF supports the Plan Change 28 section 42A report recommendation.

1.3 Amendments to NH-S1

- 1.3.1 NZDF seeks that Standard NH-S1 be amended to clarify that Flood Hazard Assessments can apply on either an individual building or a site-wide basis and to allow a longer validity period than 3 years to accommodate developments that require longer-term planning (submission point 65.07). The section 42A Report author recommends NH-S1 is amended so that the flood hazard assessments are valid for 5 years, and to enable site wide assessments to be undertaken, where this is appropriate (paras 235-236 and 247). NZDF supports the recommended wording in Appendix 1:

1. A Flood Hazard Assessment has been issued (that is valid for ~~three~~ five years from the date of issue) which specifies:

...

Note: A Flood Hazard Assessment can either be issued on an individual project basis or on a site-wide basis (as determined by the author of the assessment)

1.4 Other recommendations

- 1.4.1 NZDF generally accepts or is neutral on other section 42A Report recommendations regarding NZDF's remaining submission points on Plan Change 28, noting the approach to the Contaminated Land and Hazardous Substances provisions remains largely unchanged and amendments to policies NH-P4 and NH-P8 do not change the intent of the provisions. NZDF supports the recommended amendments to recognise functional and operational need in Objective NH-O2.

2 Plan Change 29 and Variations: Open Space and Recreation Zones, Noise, Signs and Temporary Activities

2.1 NOISE policy

- 2.1.1 NZDF seeks a new policy in the NOISE chapter to enable temporary activities and temporary military training activities (submission point 30.04). The section 42A Report recommendation is that a new policy is not necessary given the broad application of NOISE-P1 but that benefit to the community should be added to Policy NOISE-P1. NZDF supports the recommended wording of NOISE-P1 in Appendix 1:

Manage noise effects to maintain the character and amenity anticipated in the area in which the effects are received, taking into account the nature, frequency, ~~and~~ duration and benefit to the community of the activity generating the noise.

2.2 NOISE Rules

- 2.2.1 NZDF supports the section 42A Report recommendations to accept NZDF's submission points seeking minor editorial changes to NOISE-R14 and R15, including clarification of the permitted activity status of Rule NOISE-R15 (30.05, 30.06, 30.07).

2.2.2 NZDF seeks clarification in the NOISE chapter that rules NOISE-R14 and R15 are the only applicable noise rules for TMTA (submission point 30.08). The section 42A Report recommendation is that this submission point be rejected as, in the reporting officer's opinion, it is clear that rules NOISE-R14 and NOISE-R15 are the rules that apply to activities which fall within the TMTA definition (para 138). The reporting officer also expressed concern for consistency and the potential to consequently introduce a note to all rules in the chapter.

2.2.3 NZDF considers that there is the potential for the rules to be interpreted so that Rule NOISE-R10 'Noise Generated by Aircraft and Helicopter Movements' is applied to TMTA. While this would be a permitted activity in the General Rural Zone (as "Activities of the New Zealand Defence Force" are permitted in Rule GRUZ-R15), in other zones it would become a discretionary activity. It is important that TMTA are provided for throughout the district. Acknowledging the reporting officer's concern identified above, rather than the inclusion of a note in Rules NOISE 14 and R15 regarding the applicability of TMTA, it is suggested that this issue could be addressed by amending the title of Rule NOISE-R15 to include reference to aircraft and helicopter movements e.g.

NOISE-R15 Temporary Military Training Activities – All Other Noise Sources not Listed in NOISE-R14, including Aircraft and Helicopter Movements

2.3 NOISE - reverse sensitivity

2.3.1 NZDF seeks that Defence facilities, including the Tekapo Military Training Area, be included in NOISE-P2 Reverse Sensitivity (30.03). It also supported submission 18.06 in part, which sought Rule NOISE-R17 be extended to address noise sensitive activities within 500m of any critical infrastructure. NZDF accepts the section 42A Reporting Officer's comments at paras 175 and 176, noting that Policy GRUZ-P3 seeks to avoid adverse effects on the Tekapo Military Training Area.

2.4 TEMP - Temporary Activities policies

2.4.1 NZDF seeks an additional TMTA-specific policy be added, or that TEMP-P1 be amended to enable temporary activities (submission point 30.11). NZDF supports the section 42A Report recommendation to amend TEMP-P1 as follows: (paras 229 and 240):

TEMP-P1 Managing the Effects of Temporary Activities

Enable temporary activities, where ~~Manage~~ their frequency and duration of temporary activities, and the bulk and location of temporary structures, are managed to ensure amenity values are maintained.

2.5 TEMP-R6

2.5.1 NZDF seeks amendments to Rule TEMP-R6 so that temporary buildings are not required to comply with TEMP-S1 which requires compliance with the height, height in relation to boundary and setback standards of the zone or precinct in which it is located (submission point 30.12). NZDF seeks this amendment to enable flexibility in planning and undertaking TMTA which might involve the erection of a temporary building. It would also enable greater realism in training, for example, by allowing

personnel to select a site for a permanent structure “on the spot” in accordance with a particular exercise scenario, without needing to map it out in advance in accordance with height in relation to boundary, setback standards etc. that apply to permanent buildings in a particular zone).

- 2.5.2 Given the temporary nature of the activity, NZDF does not consider it is necessary to require compliance with these standards. This is not typically a requirement in other districts e.g. Partially Operative Selwyn District Plan (TEMP-REQ3). NZDF is also not aware of any issues with the Operative District Plan provisions so does not consider there is a need to deviate from these.

2.6 TEMP-S2 rehabilitation

- 2.6.1 NZDF seeks an amendment to Standard TEMP-S2 to clarify that rehabilitation is not required if the changed state is provided for as a permitted activity or through resource consent (submission point 30.13). The s42A report recommendation is to reject this relief and the reporting officer was unclear how the amendment sought would work and what it would capture (para 236).
- 2.6.2 NZDF’s concern is that, on occasion, buildings or structures that are constructed as part of a TMTA may end up being permanent structures (e.g. a farm building constructed as part of a training activity that, in agreement with the landowner, remains on the site for ongoing use). While the building itself may be a permitted activity, e.g. in the GRUZ chapter, or authorised by a resource consent, the wording of TEMP-S2 is such that the presence of the permanent building could make the TMTA non-compliant with standard TEMP-S2 as the site is not rehabilitated to its prior condition. Therefore, NZDF seeks an amendment to TEMP-S2 to avoid this issue e.g.:

1. After completion of the temporary activity, or removal of the temporary building, the site shall be rehabilitated to its original condition (prior to the commencement of the temporary activity or erection of the temporary building), except where otherwise provided for as a permitted activity or through resource consent.

2.7 TEMP - application of other district-wide provisions to temporary activities

2.7.1 The Reporting Officer identifies that, with the exception of the Noise chapter, the intention was not to apply the provisions of the district-wide chapters to temporary activities and recommended a cl16 amendment to the Introduction to the TEMP chapter deleting the statement “*any relevant provisions in the district-wide matters chapter will continue to apply*” (para 237 section 42A Report)). NZDF supports this amendment, as it addresses its concerns regarding the application of the natural hazards provisions to TMTA, as noted above in relation to Plan Change 28.

2.8 Other recommendations

2.8.1 NZDF generally accepts or is neutral on other s42A report recommendations regarding NZDF’s remaining submission points on Plan Change 29, noting that no changes are recommended to the definitions of ‘emergency response purpose’, ‘temporary military training activity’ or to NOISE-MD1.

3 Plan Change 30 and Variations: Special Purpose Zones

3.1.1 NZDF supports the section 42A Report recommendation regarding the definition of ‘airport activities’, with no change recommended to the definition.

4 Designations

4.1.1 The requirement for Minister of Defence designation MDEF-1 to be included in the proposed Mackenzie District Plan has been confirmed. NZDF has discussed mapping the boundaries of designation MDEF-1 with Mackenzie District Council staff, and understands that matters have been resolved. NZDF is happy to discuss further if required.

If the Hearings Panel considers it useful for NZDF to appear before the Hearings Panel to explain or answer any questions on the matters above, it would be happy to do so. Please contact Rebecca Davies on 021 445 482 or rebecca.davies@nzdf.mil.nz.

Yours faithfully,



Rebecca Davies
Principal Statutory Planner
Defence Estate and Infrastructure
Te Ope Kātua o Aotearoa | New Zealand Defence Force
Phone 021 445 482
Email: rebecca.davies@nzdf.mil.nz