

BEFORE THE HEARINGS PANEL
TAUPŌ PROPOSED DISTRICT PLAN

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER Of the Taupō Proposed District Plan: Proposed Plan
Changes 40 (Taupō Town Centre Environment) and 42
(General Rural and Rural Lifestyle)

**STATEMENT OF EVIDENCE OF REBECCA DAVIES ON BEHALF OF THE
NEW ZEALAND DEFENCE FORCE**

SUBMITTER OS9

9 August 2023

INTRODUCTION

- 1 My name is Rebecca Davies and I am employed by the New Zealand Defence Force, (NZDF) within Defence Estate and Infrastructure, as a Principal Statutory Planner. I have been in that role since 2016. I manage and engage in statutory processes under the Resource Management Act 1991 and other related legislation on behalf of Army, Navy and Air Force throughout New Zealand in relation to on-base and off-site infrastructure and activities.
- 2 NZDF is a government department, an element of the Crown, and provides military capability as required by Government. NZDF is empowered and authorised in its activities by The Defence Act 1990 and by output agreements with Government.
- 3 I am familiar with NZDF's submission and further submission on the Taupō Proposed District Plan - Proposed Plan Changes 40 and 42 having directed consultants in the preparation of those. I confirm that I have the authority to provide evidence in relation to the matters set out below on behalf of NZDF.
- 4 My statement of evidence focuses on Temporary Military Training Activities (TMTA). The technical noise-related elements of TMTA are addressed in the evidence of Mr Humpheson. I rely on his evidence in this regard.

SUMMARY OF STATEMENT

- 5 Temporary Military Training Activities (TMTA) are essential activities with local and national benefits, and in many respects are identical to training activities carried out by other emergency services and commercial organisations.
- 6 Noise resulting from discharge of ammunition or explosives is the only unique effect of temporary military training activities that warrants specific management through the Proposed Plan.

- 7 To provide for essential diversity and flexibility in training, NZDF seeks that TMTA, as well as noise resulting from TMTA, are provided for as permitted activities in all zones, subject to compliance with NZDF's proposed noise provisions. Ideally, and more efficiently, this would be in a district-wide chapter rather than on a zone-by-zone basis as is the case in many other District Plans around the country. While I understand there is likely to be a district-wide chapter developed in the future, the timing of this is uncertain. Therefore in the absence of this, NZDF seeks that the provisions are at least included in the Taupō Town Centre and General Rural and Rural Lifestyle Environment zones through Proposed Plan Changes 40 and 42 in the interim.

TEMPORARY MILITARY TRAINING ACTIVITIES

The importance of Temporary Military Training Activities

- 8 Section 5 of the Defence Act 1990 provides for the raising and maintenance of armed forces for various purposes, including for the defence of New Zealand, to protect the interests of New Zealand, to assist the civil power in times of emergency, and in the provision of any public service. Training is essential for the "maintenance" of armed forces, and for ensuring that NZDF is a combat-capable force, trained, equipped, and ready to respond every hour of the day, every day of the year.
- 9 NZDF undertakes TMTA across the country as part of its function of maintaining the nation's security and providing for the well-being, health and safety of communities. TMTA are essential to maintaining capability, preparedness and readiness, so that NZDF is ready and able to respond to a wide range of national and international situations. Recent responses include providing aid and assistance following emergencies such as earthquakes and major storm events, for example, the 2010 Christchurch and 2016 Kaikoura earthquakes, the flood event in Edgecumbe and Whakatane in 2017, the White Island eruption and flooding in the South Island, and more recently the Cyclone Gabrielle response. It is therefore in

the national and wider community's interests that TMTA can occur without undue restriction.

- 10 The ability to undertake TMTA has become even more important as NZDF's training opportunities were significantly reduced by Covid-19 restrictions and Operation Protect (being the single largest commitment of personnel made to a response in more than 50 years, with 6,200 personnel involved). The NZ Army in particular is now in a period of regeneration in which the focus is on having an Army that is better trained and prepared to meet complex security challenges in an increasingly competitive and contested global environment.
- 11 Training activities are undertaken and practiced "off-base" for a variety of reasons, the most important being diversity and realism. Skills that are learned and practiced "on-base" must be tested or extended in unfamiliar contexts "off base". If personnel are unable to practice their skills in a greater diversity of structures and environments than is present in familiar Camps and Bases, they cannot do the job we all expect them to be able to do. Anti-terrorist, bomb clearance training and a host of other activities benefit from diversity and realism in training environment.
- 12 In order for NZDF to maintain operational preparedness and readiness, and ability to deploy, it needs to be able to undertake training in a range of environments, including urban and rural. This ensures personnel are highly trained and able to support domestic, regional and global security situations. It is therefore vital that activities can be undertaken in all zones within the district.
- 13 Many district plans around the country have or are currently being reviewed and NZDF has engaged in those review processes to ensure that where training activities might be subject to control through a District Plan, the controls are, as far as practicable, consistent and that compliance is simply achieved and assessed. Some larger-scale exercises cross district boundaries, so consistency is very important from an exercise planning and risk mitigation perspective.

Nature of Temporary Military Training Activities

14 Taupō District is an area where NZDF may need to undertake TMTA as part of personnel training. The district is strategically located in the centre of the North Island and near the Waiouru Military Camp which is a significant Defence facility.

15 TMTA might include (but are not restricted to) activities such as:

- a. Search and rescue
- b. Driver training
- c. Medical and dental services
- d. Camp setup, including field kitchens and ablutions
- e. Small construction tasks
- f. Signals (radio communications) and logistics exercises
- g. Medevac simulation
- h. Civil Defence support and emergency response
- i. Improvised Explosive Device Disposal (IEDD) exercises
- j. IEDD search exercises (in commercial or industrial buildings as well as outdoors)
- k. Infrastructure support (e.g. water purification and supply facilities)
- l. Dog training

as well as what might be more conventionally understood by the term military training. Many activities similar to those carried out by NZDF as TMTA are also conducted by other service or civilian organisations such as the Police Force, search and rescue organisations and Fire and Emergency NZ.

16 As an example, NZDF maintains a unit that provides dental services to deployed troops. For this unit, a key part of training is setting up and

practicing operating their deployable facilities in locations remote from their home base. They exercise that skill by setting up in location for a period and providing free dental care to patients who might otherwise miss out. School children in areas remote from dental services are often the beneficiaries of that training activity.

- 17 Training activities may include the use of powered machinery, vehicles or aircraft and may involve weapons firing and the use of explosives, in addition to the deployment of personnel. In some exercises, weapons may be carried or set up for realism but not fired.
- 18 Live and blank firing activities form part of some TMTA, but occur much less frequently than other essential, but more mundane, activities such as those identified above, and are only carried out subject to very stringent and site-specific safety controls. NZDF's approach to managing noise effects of weapons firing uses the noise characteristics of the 'noisiest' equipment, being mortars. The L119 Light Gun (105 mm M1 Howitzer) which NZDF's previous (larger) setback distances were modelled on is no longer used for TMTA. Therefore, as outlined in Mr Humpheson's evidence, it is appropriate to apply the revised (reduced) setback distances.
- 19 Management of noise from live and blank firing is included as part of a standard rule that NZDF is seeking be used consistently in District Plans throughout the country.

Scale of Temporary Military Training Activities

- 20 Off-base TMTA are most commonly small to medium in scale as indicated by the types of activities identified above. While an exercise usually only takes place in a locality for a period of a few hours or days, in some cases these activities may be undertaken over a period of days or weeks on an intermittent or continuous basis, during both day and night.

- 21 Larger exercises of greater duration are generally mobile, moving through the country in accordance with an exercise scenario. Such an exercise might begin with landings and amphibious operations at a port, move hundreds of kilometres over a period of days or weeks exercising various skills on the way; and might conclude at an NZDF training area where live or blank firing might be conducted. A “forward operating base” at which personnel and equipment are accommodated and mobilise to and from might be established in one location for the duration of the exercise. However, these larger-scale exercises occur relatively infrequently – for example, NZDF’s biggest training exercise, Exercise Southern Katipo, occurs once every few years.

NOISE MANAGEMENT

- 22 NZDF acknowledges that noise effects from Temporary Military Training Activities need to be appropriately controlled within the Proposed Plan. Activities involving discharge of ammunition generate noise that has specific characteristics and require specific management to avoid unnecessary effects on nearby residences. NZDF seeks to ensure that the noise standards included in the Proposed Plan are up-to-date, appropriate for the type of noise generated, and are reasonably simple to understand, to plan for compliance and to assess compliance with.
- 23 To this end, NZDF has commissioned expert acoustic advice on appropriate standards to control noise effects from TMTA. Mr Humpheson’s evidence sets out the technical basis for the noise provisions sought by NZDF. Based on specialist acoustic advice NZDF has developed proposed permitted activity standards that provide an appropriate means of managing and mitigating all types of noise that might be generated by TMTA conducted anywhere in the country.
- 24 In summary, NZDF’s proposal achieves the following:
- a. Compliance with accepted noise limits to protect residential amenity and other sensitive activities

- b. Simplicity, transparency, effectiveness and efficiency in planning, management and compliance.

- 25 The PC40 section 42A report notes that from a review of a number of District Plans, there is no consistent approach to TMTA. However, NZDF's position has been, and is, consistent, and it has been successful in having these bespoke permitted activity standards adopted through plan review processes in several districts and is currently engaged in many plan reviews with that end in mind. Thames Coromandel District Council decided there was no need for any controls at all on noise from military training activities. Queenstown Lakes District Council also took this view.
- 26 The effect of NZDF's proposed planning approach is that for assessment of compliance, the District's compliance officer would simply need to measure the distance between the site of the activity and the site in relation to which the complaint has been made. This is very easily done either using a paper map or internet based tools such as the Council's GIS. Council's compliance officer would not need a noise meter, would not have to attempt to measure a noise long gone, and would not need any acoustic knowledge.
- 27 In devising a training activity involving weapons firing or explosives use, NZDF's exercise planners generally prefer to select a location that complies with the first tier setback distances. This is easier from a practical perspective, and is also straightforward for a member of the public to determine whether the activity complies with the District Plan rules, based simply on the location of the activity. A further advantage to the setbacks is that weather conditions do not need to meet the prescribed standards for undertaking noise measurements.
- 28 It is standard practice for NZDF to provide notice 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. In my experience this is a very important component of noise management.

RESPONSE TO SECTION 42A REPORTS

Plan Change 40: Taupo Town Centret

- 29 To provide for essential diversity and flexibility in training, NZDF seeks that TMTA, as well as noise resulting from TMTA, are provided for as permitted activities in all zones, subject to compliance with NZDF's proposed noise provisions.
- 30 Ideally this would be in a district-wide chapter rather than on a zone-by-zone basis. If there were district-wide provisions which applied in the Town Centre Environment, then the TMTA provisions would work as intended. That is:
- a. As noted by Mr Bonis at paragraph 80 of the section 42A report, the more 'benign' activities (examples of which are outlined in my evidence at paragraph 15 above) would be able to occur as a permitted activity.
 - b. However, TMTA involving the use of weapons or explosives would not be able to meet the setback distances that are part of the permitted activity conditions in this zone. In this case, NZDF would assess (through expert acoustic advice) whether the TMTA permitted activity noise standards could nonetheless be met. If not, NZDF would need to apply for resource consent or more likely, would undertake the activity somewhere else where the setback distances and/or noise limits could be met.
- 31 The section 42A Report notes that TMTA may not be considered 'community focussed events'. However, some TMTA do include a community element such as the dental unit described in paragraph 16. My experience is that TMTA can generate positive community interest and opportunities, such as opportunities for the local community to volunteer to be part of TMTA. One example is a TMTA which involved farmers, shopkeepers, police officers and a Mayor as participants. Some larger-

scale TMTA often include a public open day, community, and recruitment activities, and where such larger-scale TMTA have occurred, there have been economic benefits to the local community, through spending in local cafes for example.

- 32 As part of the bigger picture, it is important to consider the wider benefits of TMTA in that the purpose of TMTA is to ensure NZDF is well-trained and ready to respond and mobilise in a manner that directly contributes to the economic and social wellbeing of people and communities.

Plan Change 42: General Rural and Rural Lifestyle Environments

- 33 To provide for essential diversity and flexibility in training, NZDF seeks that TMTA, as well as noise resulting from TMTA, are provided for as permitted activities in the General Rural and Rural Lifestyle Environment zones, subject to compliance with NZDF's proposed noise provisions. As I have noted above, ideally, and more efficiently, this would be in a district-wide chapter rather than on a zone-by-zone basis.

- 34 NZDF's suite of submission points on this matter have been rejected on the basis that "*...the submitter's points collectively seek to integrate a framework of an objective, policy and rules in the rural environments chapter to enable temporary military training exercises. This matter will be dealt with in a district-wide manner as part of the transition to national planning standards early in 2024.*"¹

- 35 No rationale is provided for deferring consideration of NZDF's relief sought until a later date. I also note that Proposed Plan Change 42 sets out comprehensive provisions for the General Rural and Rural Lifestyle Environments, including rules for temporary activities. NZDF considers it entirely reasonable that TMTA are also provided for now.

- 36 While I understand there is likely to be a district-wide chapter developed with an indicative timing given of early 2024, this timing is not certain.

¹ Appendix 1 to Section 42A Report.

Therefore, in the interim, NZDF seeks that the provisions are included in the General Rural and Rural Lifestyle Environment zones through Proposed Plan Changes 40 and 42. They can subsequently be incorporated into a district-wide chapter through the transition process referred to above.

CONCLUSION

- 37 Temporary military training activities are essential, have local and national benefits, and in many respects are identical to training activities carried out by other emergency services and commercial organisations.
- 38 The NZDF is not pre-empting a change in the nature or quantity of training likely to be conducted in the Taupō District. Rather, NZDF is seeking to simplify and modernise the rules applying to TMTA, to ensure that activities that are carried out in the area remain lawful, and to provide consistency across the country.
- 39 NZDF has obtained specialist advice and has developed modern, effective and efficient controls for that noise which ensure amenity is appropriately protected. Those controls have been adopted wholly or in part by several District Councils in the review of their District Plans and are proposed for adoption in Proposed Plan Changes 40 and 42 until such time as district-wide provisions are developed.

Rebecca Davies

9 August 2023