

From: [Karen Baverstock](#)
To: [Mailroom Mailbox](#)
Subject: Submission on the Proposed Canterbury Air Regional Plan
Date: Friday, 1 May 2015 3:59:56 p.m.
Attachments: [010515 NZDF Final submission.pdf](#)

Please find attached a submission from the New Zealand Defence Force on the Proposed Canterbury Air Regional Plan.

I would appreciate confirmation of receipt.

Regards,

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Submission on Proposed Canterbury Air Regional Plan

Clause 6 of First Schedule, Resource Management Act 1991

To: Environment Canterbury
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Re: Proposed Canterbury Air Regional Plan
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Submitter: New Zealand Defence Force
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INTRODUCTION

This is a submission on the Proposed Canterbury Air Regional Plan, March 2015. Specifically this submission addresses provisions in the Proposed Canterbury Air Regional Plan that relate to NZ Defence Force assets, facilities and activities within the Canterbury region. This includes the Burnham and Tekapo Military Camps, the West Melton Rifle Range, and the Air Force Museum of New Zealand at Wigram. These facilities are utilised for various military activities, including housing and accommodation, and temporary military training activities. In addition, there are coal boilers located at both the Wigram Air Force Museum and the Burnham Military Camp and dwellings within the camp operate domestic space heating appliances.

The Burnham and Tekapo Military Camps and the West Melton Rifle Range are of strategic importance both nationally and internationally. They constitute strategic and regionally significant infrastructure within the Canterbury Regional Policy Statement 2013 and their continued operation is essential to achieving New Zealand Defence Force (NZDF) obligations under the Defence Act 1990.

NZDF's submission is set out in Table 1 below.

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, **NZDF will consider** presenting a joint case with them at the hearing.

A handwritten signature in blue ink, appearing to read 'K. Barston', with a long horizontal flourish extending to the right.

1 May 2015

Date _____

Person authorised to sign
on behalf of New Zealand Defence Force

TABLE 1: NZDF SUBMISSION

Provision	Support / oppose	Relief sought	Reasons
Definition of 'Large scale fuel burning device'	Oppose in part	Increase the threshold for 'large scale fuel burning device' or rename to refer to ' <u>Medium and large scale fuel burning device</u> '.	<p>Large scale fuel burning devices includes any boiler, furnace, engine or other internal or external combustion device that</p> <ol style="list-style-type: none"> 1. has a net heat or energy output of 40kW or more; or 2. is on or associated with an industrial or trade premise or process. <p>The threshold of 40kW is very low and in NZDF's opinion does not constitute a 'large scale burning device'.</p>
Objective 5.7	Support in part	<p>Retain this objective with amendments to include reference to strategic infrastructure.</p> <p>Suggested amendments to address this point are set out as follows (inserted text underlined):</p> <p><i>Nationally and regionally significant infrastructure <u>including strategic infrastructure</u> is enabled and is resilient and positively contributes to economic, cultural and social wellbeing through its efficient and effective operation, on-going maintenance, repair, development and upgrading.</i></p>	<p>NZDF supports the provision to ensure the efficient and effective operation of nationally and regionally significant infrastructure.</p> <p>The Canterbury Regional Policy Statement provides for Defence Force facilities as 'strategic infrastructure'. NZDF considers it appropriate that this strategic infrastructure is also captured in the objectives and policies of the Proposed Canterbury Air Regional Plan. This ensures that the Air Regional Plan gives effects to the RPS, in accordance with section 75 of the Resource Management Act 1991.</p>
Policy 6.11	Support in part	<p>Retain this policy with amendments to include reference to strategic infrastructure.</p> <p>Suggested amendments to address this point are set out as follows (inserted text underlined):</p> <p><i>Recognise the contribution of nationally and regionally significant infrastructure <u>including strategic infrastructure</u> to the regional and national economy and provide for the operation and development of that infrastructure.</i></p>	As above.

Policy 6.19	Support in part	<p>Retain this policy with amendments to include reference to strategic infrastructure.</p> <p>Suggested amendments to address this point are set out as follows (inserted text underlined):</p> <p><i>Enable discharges of contaminants into air associated with large scale, industrial and trade activities, nationally and regionally significant infrastructure <u>including strategic infrastructure</u>, in locations where the discharge is compatible with the surrounding land use pattern and while ensuring that adverse effects on air quality are minimised.</i></p>	As above.
Policy 6.6	Support in part	<p>Retain the general intent of this policy provision but with suggested amendments set out below (inserted text underlined):</p> <p><i>Discharges of contaminants into air, and the effects of those discharges, occur in appropriate locations, taking into account <u>existing land use and the distribution of land use as provided for by the relevant district plan.</u></i></p>	The existing land use pattern may not necessarily reflect the distribution of land use provided by the relevant district plan (e.g. industrial activities and uses which have legitimately established in rural areas).
<p>Policies 6.7 and 6.8</p> <p>New policies provisions to address reverse sensitivity</p>	Oppose in part	<p>Ensure an appropriate policy framework to address reverse sensitivity effects and give effect to the direction established through the Canterbury RPS (in particular Chapters 5 and 6). This includes, but is not limited to, amending policies 6.7 and 6.8 to ensure reverse sensitivity effects are avoided as far as practicable, and otherwise remedied or mitigated.</p>	<p>Reverse sensitivity is the potential for the operation of an existing lawfully established activity to be constrained or curtailed by the more recent establishment of other activities which are sensitive to the pre-existing activity. Reverse sensitivity is a significant issue for NZDF as well as other infrastructure providers and industrial operators. The Proposed Canterbury Air Regional Plan needs to establish a robust framework to address reverse sensitivity effects consistent with the RPS. The focus of this policy framework should be on 'avoiding' such effects in the first instance, and otherwise remedying or mitigating them</p> <p>Policies 6.7 and 6.8 do not appropriately recognise and address potential reverse sensitivity effects. Policy 6.7 in fact appears to provide for a new activity to locate within close proximity to a legitimately established activity through the resource consent process and the resultant reverse</p>

			<p>sensitivity effects requiring the relocation of the original activity.</p> <p>The application of Policy 6.8 is limited to the location of new activities that discharge to air. However neither this policy nor any other policies within the policy framework adequately address reverse sensitivity effects on existing, lawfully established activities. NZDF considers this is a key oversight and one which needs to be addressed within the policy framework.</p>
Policy 6.16	Support in part.	<p>Amend this policy to provide for the necessary burning of non-organic materials undertaken by NZDF.</p> <p>Suggested amendments to address this point are set out as follows (inserted text underlined):</p> <p><i>Avoid the outdoor burning of non-organic material in rural areas, <u>except where the activity is undertaken by the New Zealand Defence Force.</u></i></p>	<p>NZDF supports policies which generally seek to avoid the unnecessary burning of non-organic materials in rural areas. However at times NZDF undertakes the controlled outdoor burning or deflagration of unwanted public and military ammunitions, munitions and pyrotechnics. This is the safest practical option for disposing of this unwanted material, is unavoidable and should be provided for in the new plan policies.</p>
Policy 6.18	Support.	Retain Policy 6.18.	<p>NZDF undertakes fire fighting training activities in the Canterbury Region. This policy appropriately recognises and provides for this activity.</p>
Rule 7.5	Oppose in part	<p>Provide for the controlled outdoor burning or deflagration of unwanted public and military ammunitions, munitions and pyrotechnics undertaken by NZDF as a permitted activity.</p>	<p>NZDF undertakes the controlled outdoor burning or deflagration of unwanted public and military ammunitions, munitions and pyrotechnics. This activity appears to be prohibited within the new plan pursuant to Rule 7.5. However this controlled burning or deflagration is the safest practical option for disposing of this unwanted material, is unavoidable and should be provided for in the new plan.</p>
Rule 7.6	Support in part	<p>Retain Rule 7.6 but also provide for the controlled outdoor burning or deflagration of unwanted public and military ammunitions, munitions and pyrotechnics undertaken by NZDF within this permitted activity rule (or as a new rule).</p>	<p>As above.</p>

Rule 7.6	Support in part	<p>Retain Rule 7.6 with further suggested amendments below:</p> <p><i>1. The fire is under the control of the Rural Air Authority, New Zealand Fire Service, Department of Conservation, New Zealand Defence Force, Christchurch International Airport Rescue Service....</i></p> <p><i>2. All properties <u>not owned by the relevant organisation identified above</u> within a 150m radius of the point of discharge are notified in writing at least 7 days prior to the training exercise.</i></p>	<p>NZDF supports Rule 7.6 as it allows NZDF to undertake its fire-fighting training activities as a permitted activity. The suggested amendment provides an appropriate exemption from notifying properties where these properties are owned by NZDF.</p>
Rule 7.14	Support in part	<p>Modify Rule 7.14 to more accurately reflect Regulation 17 of the Resource Management (NES for Air Quality) Regulations 2004.</p> <p>Specify a default activity status for activities which do not comply with Rule 7.14 but are not prohibited by Regulation 17.</p>	<p>Sub clause (2) of Regulation 17 provides for certain exceptions to this regulation. This should be appropriately reflected in the rule framework of the Proposed Canterbury Air Regional Plan.</p> <p>The activity status for applications which are not restricted discretionary under Rule 7.14 is unclear. Note the suggested amendment to Rule 7.27 below addresses this matter.</p>
Rules 7.17 and 7.18	Oppose in part	<p>Amend the activity status of Rule 7.17 from non-complying to discretionary, and Rule 7.18 from prohibited to non-complying.</p>	<p>This allows for the effects of a discharge to be assessed and evaluated as being acceptable or not within the specific context, with an additional layer of assessment for the activities specified in Rule 7.18 (i.e. non complying 'gateway test'). Prohibited activity status (Rule 7.18) is not appropriate for an existing, lawfully established activities.</p> <p>In addition, a rule which prohibits any discharge where the discharge is likely to cause the Ambient Air Quality Guidelines 2002 to be exceeded is unclear and open to different interpretations. Further, there may be situations where the specific activity may cause the guidelines to be exceeded but the effects are assessed as acceptable. It also applies to all ambient contaminants which include both contaminants with broader effects (PM10) and site specific contaminants where the effects are limited to the immediate vicinity.</p>

Rule 7.27	Support in part	<p>Ensure that the plan incorporates the necessary default activity rule for activities which are not otherwise provided for.</p> <p>Suggested amendments to address this point are set out as follows (inserted text underlined):</p> <p><i>Any discharge of contaminants into air from any large scale fuel burning device that does not comply with the appropriate permitted activity rule and conditions, and is not prohibited, and is not otherwise provided for by rules 7.3, 7.4 or rules 7.19 – 7.26 is a discretionary activity.</i></p>	<p>NZDF supports default activity Rule 7.27 but considers the current wording suggests it is limited in its application. An amendment is suggested to broaden out the application of this rule.</p>
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