



TE OPE KĀTUA O AOTEAROA
DEFENCE FORCE

New Zealand Defence Force
Defence Estate and Infrastructure
NZDF Headquarters
Private Bag 39997
Wellington 6045

09 September 2022

Selwyn District Council
C/- Grace Hadfield
Hearings Administrator
Via email: hearings@selwyn.govt.nz

Attention: Hearings Panel

Dear Sir/Madam

Proposed Selwyn District Plan (Private Plan Change 82: Rezone Rural Outer Plain Zone to Living MD and Business 1 Zone, Rolleston)

Introduction

I refer to the abovementioned matters set down for hearing commencing Monday 12 and Tuesday 13 September 2022. The New Zealand Defence Force (NZDF), identified as **submitter DP-0448**, will not be attending the hearing but wishes to clarify its position in regard to seeking no complaints covenants and to provide further information regarding activities carried out on Defence land in the vicinity of land subject to proposed Plan Change 82 (PC 82).

Reverse Sensitivity Effects

1. NZDF is concerned about potential reverse sensitivity effects arising from new development in the vicinity of Defence facilities around the country, including in the Selwyn District. Reverse sensitivity effects have the potential to impact on the efficient operation, use, and development of such facilities. NZDF therefore engages in a wide range of processes under the Resource Management Act 1991 (RMA) in relation to development in the vicinity of Defence facilities. NZDF has taken a consistent approach nationwide in these processes, which is that if development is to occur in the vicinity of Defence facilities, then it needs to be managed in a way that avoids effects on Defence facilities, including reverse sensitivity effects.
2. The issue of reverse sensitivity is magnified due to the level of growth and development the Selwyn District is undergoing. The Selwyn District Council is identified as a Tier 1 local authority in the National Policy Statement on Urban Development 2020. The Resource Management (Enabling Housing Supply and Other Matters) Amendment Act provides for significant development and intensification in Tier 1 areas. PC82 is one of many proposed plan changes occurring in the district and allows for residential development of approximately 1,320 residential homes and two local community centres.

Burnham Military Camp

3. NZDF lodged a submission on proposed PC 82 seeking to ensure that the operation of Burnham Military Camp (which includes Aylesbury Range and training areas) is not affected by proposed PC 82. In particular, NZDF requested that effects on the transport network in the vicinity of Burnham Military Camp are further assessed, and a requirement for no complaints covenants on all new titles created.
4. The Burnham Military Camp (including Aylesbury Range, and training areas), located within proximity of the vicinity of PC 82, hosts a wide variety of activities, including noise generating activities and is therefore sensitive to reverse sensitivity effects (i.e., from more recently established sensitive activities). Contrary to the Officer's Section 42A Report, the nature of activities at the Military Camp, including those described below, mean that reverse sensitivity can present a major challenge to its efficient operation, use and development.
5. The land on the eastern side of the Military Camp (informally known as "Lake Rudd") is currently grazed, however it is also used for NZDF training exercises, which include noise generating activities (refer attached map). Further information regarding activities undertaken within the training area is outlined below:
 - a) Activities undertaken within zones 12, 13 and 14 include blank and dry firing (including use of blanks for machine gun and single fire weapons), with vehicles sometimes in support. It also has been used to host Short Range Inert Practice Projectile training activities. These zones are likely to be used for more intensive and frequent training, including battle simulations, within the next 5 years.
 - b) A driver training circuit is located immediately north of the area marked Coronation Park rugby league that is regularly used and generates vehicle noise.
 - c) Aylesbury Range is located immediately west of Popes Field and is used frequently.
6. Additionally, NZDF wishes to note the following matters:
 - a) Burnham Military Camp is specifically included in the definition of strategic infrastructure (and strategic infrastructure is included in the definition of "regionally significant infrastructure") in the Canterbury Regional Policy Statement (RPS). There is clear policy direction requiring that new development does not affect the efficient operation, use, and development of strategic/regionally significant infrastructure. For example, the standards under Policy 5.3.2(1) of the RPS address a range of issues resulting from development that require careful management so as to avoid the potential for adverse effects. This includes the need to avoid the encroachment of sensitive activities into rural areas that may result in reverse sensitivity effects on established rural activities or regionally significant infrastructure; and
 - b) There is a need to preserve the operational and training capabilities of Burnham Military Camp so that NZDF can meet its obligations under section 5 of the Defence Act 1990.

No Complaints Covenants

7. NZDF's view has consistently been that no complaints covenants are the most efficient, least cost method of managing and avoiding reverse sensitivity effects. Such covenants place the responsibility of accepting the presence of Defence sites, in this case the Burnham Military Camp, and noise effects associated with its lawful operation, on potential new landowners who may be unfamiliar with the area and the operation of Burnham Military Camp, as they are put 'on notice' about effects from the Camp and Defence activities.

8. Given the nature of Defence activities that occur within proximity of the vicinity of land affected by PC 82, potential reverse sensitivity effects arising from development enabled by PC 82 is an issue. Additionally, both commercial and residential zoning is currently proposed, enabling the establishment of activities more sensitive to noise. NZDF's view, therefore, is that no complaints covenants are necessary on the PC 82 land. Such covenants have been accepted by developers seeking residential (and industrial) zoning of land elsewhere in the country.
9. The RPS establishes a clear policy direction requiring that development does not affect the efficient operation, use, and development of strategic/regionally significant infrastructure. The Selwyn District Plan is required to give effect to this policy direction. NZDF therefore reiterates its submission on PC 82 and requests that a no-complaints covenant forms part of the proposed provisions.

Concluding Statement

It would be appreciated if this letter could be submitted to the Hearings Panel. If the Hearings Panel consider it useful for NZDF to appear before the panel to explain or answer any questions on the matters above, it would be happy to do so. Please do not hesitate to contact the writer on 021 445 482 should you wish to clarify any matters addressed above.

Yours faithfully



Rebecca Davies
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Defence Estate and Infrastructure
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ATTACHMENT 1: Map

BURNHAM MILITARY CAMP
LOCAL TRAINING AREA (LAKE RUDD) 10-14