

MEMO

TO: Sharon Mason – Chief Executive Officer

FROM: Jocelyn Lewes – Senior Policy Planner

DATE: 13 February 2025

SUBJECT: **CLAUSE 16(2) AMENDMENT TO THE PARTIALLY OPERATIVE DISTRICT PLAN (Appeals Version) – SET 16: MDEF-3**

1. PURPOSE

To seek approval for amendments to the Partially Operative District Plan (Appeals Version) (PODP) using Clause 16(2) of the Resource Management Act 1991 (RMA) to correct a minor error in the PODP.

2. BACKGROUND

Council has the ability, under cl16(2) of Schedule 1 of the RMA, without using the Schedule 1 process “*to alter any information, where such an alteration is of minor effect, or may correct any minor errors*”.

A designation is a planning technique used by Ministers of the Crown, local authorities and network utility operators approved as requiring authorities under s167 of the RMA. **MDEF-3** is a designation by the Minister of Defence and relates to the West Melton Rifle Range.

The process of including a designation in the PODP is an iterative process. While the Council’s recommendation on the designation was included in the decisions version of the PODP in October 2020, there was a subsequent step that enabled the Minister of Defence to consider whether or not to accept the recommendation of Council. In this regard the Minister declined to accept Council’s recommendation. As such, the content of the PODP does not reflect the decision of the Minister and a correction is required.

3. PROPOSAL

Set 16 of amendments to the Appeals Version of the PODP includes:

- Correction to MDEF-3 to ensure that the PODP reflects the decision of the Minister as identified in **Appendix 1**.

Prepared by:



Jocelyn Lewes
SENIOR POLICY PLANNER

Approved by:



Sharon Mason
CHIEF EXECUTIVE OFFICER

APPENDIX 1: Provision to be amended

MDEF-3 West Melton Rifle Range

West Melton Rifle Range	
Designation unique identifier	MDEF-3
Designation purpose	Defence Purposes — Military Training Area
Site identifier	...
Lapse date	Given effect
Designation hierarchy under section 177 of the Resource Management Act	Primary
Conditions	Yes <u>No</u>
Additional Information	...
MDEF-3	Conditions
-	<p>Noise Management Plan</p> <ol style="list-style-type: none"> The requiring authority shall prepare a Noise Management Plan (NMP), the primary objectives of which are to: <ol style="list-style-type: none"> identify management and mitigation for noise effects associated with activities at the Range set out roles and responsibilities for noise management and implementation of the NMP address the process for complaints and engagement with the community. The NMP shall cover all firearms and detonation activities at the Range. The requiring authority shall provide the proposed NMP to Council's Group Manager Environmental and Regulatory Services (or equivalent position), no later than 3 months after it releases its decision pursuant to Schedule 1 cl13 of the RMA, demonstrating that the NMP meets the requirements of these conditions. Within 15 working days, the Group Manager Environmental and Regulatory Services may request changes. The requiring authority shall amend the NMP where appropriate, noting why the requested changes were or were not adopted. The NMP may be varied by the requiring authority as a result of experience in noise producing events at the Range, or a review may be requested at any time by the Group Manager Environmental and Regulatory Services to deal with specific issues which have arisen. Any changes shall be provided to the Group Manager Environmental and Regulatory Services in accordance with the process in Condition 3. above. The NMP shall cover the following matters:

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| | <ul style="list-style-type: none">a. Practices and procedures to be adopted to ensure the reasonable management of noise generated from the Range, including setting out:<ul style="list-style-type: none">i. roles and responsibilities for noise managementii. methods and processes for mitigating adverse effects of noise; andiii. monitoring of noise sources and activitiesb. The process for community engagement, including input into the development and implementation of the NMP.c. How residents will be given prior notice of forthcoming noisy events—a description of how residents will be informed and using which communication platforms (i.e. a specified website, public notice, email, letter drop); the rationale for identifying which events are considered noisy events requiring notification of residents in advance; what information will be shared with residents about the event.d. A complaints procedure that records all complaints received by the Range operator, and specifies actions to be taken following receipt of complaints, and recording of any remedial actions taken. Records that protect privacy of individuals shall be accessible to the public e.g. available online at a specified webpage.e. The identification of circumstances in which it would be appropriate to intimate a review of the contents of the NMP. |
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