

BEFORE THE HEARINGS PANEL

WELLINGTON CITY PROPOSED DISTRICT COUNCIL

IN THE MATTER of the Resource Management Act 1991

AND

IN THE MATTER of the Wellington City Proposed District Plan: Hearing
Stream Five (General District Wide Matters - NOISE)

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

SUBMITTER 423

18 July 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 Resource Management Act statutory processes 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 Wellington City Proposed District Plan (Proposed Plan) 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.

SCOPE

- 4 My statement of evidence focuses on Temporary Military Training Activities (TMTA). The technical noise-related elements of this are addressed in the evidence of Mr Humpheson. The planning rules that provide for TMTA are not the subject of this hearing and therefore have not been addressed below (except where the standards have been specifically addressed through the evidence of Council's acoustic expert, Mr Syman). NZDF intends to provide evidence, including planning evidence as required at Hearing Stream 7 which covers the Temporary Activities chapter.
- 5 NZDF submitted broadly in support of the objectives, policies, rules and standards relating to noise in the Proposed Plan¹. These submission points

¹ Incl. Noise-02, Noise-P1, P3 and P6, Noise R4.1 and R4.2, and Noise-S8 and S9.

have been accepted in the Section 42A Report and I have not addressed them further in my statement below.

- 6 In his expert evidence, Mr Humpheson has addressed how noise from NZDF aircraft activities at the Rongotai Air Terminal at Wellington Airport is managed. I rely on his evidence in this regard and note that he is in agreement with the section 42A report recommendations.

SUMMARY OF STATEMENT

- 7 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.
- 8 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.
- 9 To provide for 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. This will be addressed in Hearing 7 which includes Temporary Activities.
- 10 NZDF has obtained specialist advice and has developed modern, effective and efficient controls for that noise. Those controls have been adopted by over twelve District Councils in the review of their District Plans and are proposed by NZDF for adoption in the Proposed Plan.

TEMPORARY MILITARY TRAINING ACTIVITIES

The importance of Temporary Military Training Activities

- 11 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.

- 12 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 in maintaining capability so that NZDF is ready to respond to a wide range of national and international situations, including 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 interest, and wider community’s benefit, that TMTA can occur without undue restriction.
- 13 Training activities are carried out “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 the likes of 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.
- 14 In order for NZDF to maintain its ability to deploy, it needs to be able to undertake training in both urban and rural environments. 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 City.
- 15 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 simply 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

- 16 Wellington City is an area where NZDF may choose to undertake TMTA as part of personnel training. Wellington is a strategic location as it is where NZDF headquarters and the Trentham Military Camp are located. It is also close to the South Island and relatively close to the Manawatu-Whanganui region in which significant Defence Camps and Bases are located (Linton Military Camp and Base Ohakea, and further north the Waiouru Military Training Area).
- 17 Live and blank firing activities form part of some TMTA, but occur much less frequently than other essential, but rather more mundane, activities and are only carried out subject to very stringent and site specific safety controls. NZDF's approach to managing the noise effects of weapon firing uses the noise characteristics of the 'noisiest' equipment, being mortars. I can confirm that the L119 Light Gun (105 mm M1 Howitzer) is not used for TMTA.
- 18 It is standard practice 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. Live and blank firing are included as part of a standard rule that NZDF is seeking be used consistently in District Plans throughout the country.
- 19 Other 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) 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.

- 20 By way of a detailed example, NZDF maintains a unit that provides dental services to deployed troops. For this unit, a key part of training is setting up and 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.
- 21 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.

Scale of Temporary Military Training Activities

- 22 TMTA are typically 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.

- 23 Larger exercises of greater duration are generally mobile; moving though the country in accordance with an exercise scenario. Such an exercise might begin with landings 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 firing might be conducted. A “forward operating base” at which personnel are accommodated and mobilise to and from might be established in one location for the duration of the exercise. However these types of exercises occur relatively infrequently – for example, NZDF’s biggest training exercise, Exercise Southern Katipo, occurs once every few years.
- 24 Temporary Activity Standard TEMP-S6.1 restricts the duration of TMTA to a period of 14 consecutive days (excluding set up and pack down activities) and precludes TMTA being undertaken on Sundays². However TMTA are by their very nature temporary, ranging from a period of days through to several weeks on an intermittent or continuous basis depending on the nature of the activity. NZDF does not consider it necessary to impose a time limit on TMTA as per TEMP-S6.1. However as set out in its submission, NZDF would support an amendment to this standard to allow TMTA to be undertaken so as not exceed a period of 31 consecutive days (excluding set up and pack down activities).
- 25 This would also ensure a consistent approach to TMTA is adopted nationwide. As I have noted above, many district plans around the country are being or have been reviewed and NZDF is engaging in those review processes to ensure that where training activities might be subject to controls through a district plan, those controls are consistent and that compliance is simply achieved and assessed.

² Temporary Activity Rule TEMP-R3 provides for TMTA as a permitted activity in certain zones only (versus temporary activities which are provided for as a permitted activity across all zones). As set out in its submission, NZDF considers that TMTA can and should be provided for as a permitted activity across all zones. This will be addressed through Hearings Stream 7 which includes temporary activities.

- 26 NZDF does not support TEMP-S6.2, which states that no TMTA is to be undertaken on Sundays. Given the nature of TMTA, some activities may need to be undertaken at the weekend, including Sunday, as part of a continuous exercise being undertaken over a period of several weeks. At a smaller scale, it is critical that Reserve Forces are able to undertake TMTA in weekends. These smaller scale activities are generally more “routine” in nature and include the activities described in paragraph 19 above. Providing the TMTA complies with the relevant permitted activity standards and the noise standards for TMTA in Table 26 – APP6, there should be no reason that TMTA cannot be undertaken on a Sunday.
- 27 I note that subject to the amendments set out in Mr Humpheson’s evidence, the Council’s acoustic expert (Mr Syman) considers it appropriate to provide a 31-day window for TMTA, and for TMTA to occur on a Sunday subject to meeting appropriate noise limits.

NOISE MANAGEMENT

- 28 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 quite specific characteristics and require specific management to avoid unnecessary effects on nearby residences. NZDF wishes to make sure 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.
- 29 To this end, NZDF has commissioned professional 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 a holistic means of managing and mitigating all the types of noise that might be generated by TMTA conducted anywhere in the country.

- 30 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.
- 31 NZDF has been successful in having these bespoke permitted activity standards adopted through plan review processes in several districts (e.g. Southland, Horowhenua, Rotorua and South Waikato District Councils) 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.
- 32 The effect of NZDF's proposed planning approach is that for assessment of compliance, the District's compliance officer would simply have 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 own 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.
- 33 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 not only easier from a practical perspective, but 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.
- 34 A further advantage to the setbacks is that weather conditions do not need to meet the prescribed standards for undertaking noise measurements.

CONCLUSION

- 35 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.
- 36 Training activities are carried out “off-base” for a variety of reasons and two of the important reasons are diversity and realism. Skills that are learned and practiced “on-base” must be tested or extended in unfamiliar contexts “off base”.
- 37 The NZDF is not pre-empting a change in the nature or quantity of training likely to be conducted in Wellington City. 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 wherever practicable.
- 38 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. However, live and blank firing activities occur less frequently than other essential, but rather more mundane, training activities.
- 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 by several District Councils in the review of their District Plans and are proposed for adoption in the Proposed Plan.

Rebecca Davies

18 July 2023