



Submission on the Proposed Regional Coastal Plan 2016

Return your signed submission to the West Coast Regional Council by 5.00pm, Monday 21 March 2016

Submissions may be:

- a) Posted to: Proposed RPS, West Coast Regional Council, PO Box 66, Greymouth 7840
- b) Delivered direct to the West Coast Regional Council at 388 Main South Road, Greymouth
- c) Emailed to rcp@wcrc.govt.nz
- d) Sent by facsimile (03) 768 7133

PART A: Submitters contact details

Public information - all information contained in a submission under the Resource Management Act 1991, including names and addresses for service, becomes public information. Your information is held and administered by the West Coast Regional Council in accordance with the Local Government Official Information and Meetings Act 1987 and the Privacy Act 1993. This means that your information may be disclosed to other people who request it in accordance with the terms of these Acts. It is therefore important you let us know if your form includes any information you consider should not be disclosed.

Full name: Rebecca Davies

Organisation: New Zealand Defence Force

[The organisation that this submission is on behalf of, if applicable]

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Email: Rebecca.Davies@nzdf.mil.nz **Phone (Hm):** _____ **Phone (Wk):** 021-445-482

Phone (Cell): _____ **Preferred method of contact:** Email or phone

Contact person and address for service [if different from above]:

As above


PART B: Trade Competition

As per Schedule 1 of the Resource Management Act 1991, a person who could gain an advantage in trade competition through the submission may make a submission only if directly affected by an effect of the proposed policy statement that:

- a) Adversely affects the environment
- b) Does not relate to trade competition or the effects of trade competition.

Please tick the sentence that applies to you:

- I **could not** gain an advantage in trade competition through this submission; or
- I **could** gain an advantage in trade competition through this submission. *If you have ticked this box, please select one of the following:*
 - I **am** directly affected by an effect of the subject matter of the submission.
 - I **am not** directly affected by an effect of the subject matter of the submission.

Signature:  _____
[Signature of person making submission, or authorised to sign on behalf of person making the submission]

Date: 21/3/16

(A signature is not required if you make your submission by electronic means)

PART C: Request to be Heard

- I **do not** wish to be heard in support of my submission; or
- I **do** wish to be heard in support of my submission; and if so,
- I would be prepared to consider presenting my submission in a joint case with others making a similar submission at any Hearing.

Submission on the West Coast Proposed Regional Coastal Plan 2016

Clause 6 of First Schedule, Resource Management Act 1991

To: West Coast Regional Council
Address: PO Box 66
Greymouth 7840
Email: rcp@wcrc.govt.nz

Submitter: New Zealand Defence Force
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Preliminary Matters

A detailed submission is attached.

The New Zealand Defence Force (NZDF) has military interests throughout New Zealand. While NZDF does not currently have any coastal facilities within the West Coast region, this does not preclude the potential for NZDF to need facilities here in the future. NZDF may also undertake temporary military training activities (TMTA) in the region from time to time including the use of portable water treatment units, amphibious landings, and activities generating noise.

NZDF's primary interest in the Proposed Coastal Plan relates to the biofouling provisions and to temporary military training activities (TMTA). A detailed submission in relation to these and other relevant matters is set out below.

New Zealand Defence Force (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, **we will consider** presenting a joint case with them at the hearing.

A handwritten signature in black ink, appearing to be 'R. C. W.', written in a cursive style.

_____ Date: 21/3/16 _____

Person authorised to sign
on behalf of New Zealand Defence Force

Point	Provision	Support/ Oppose	Reasons	Decision Sought
1	Policy 3.3.1	Support	NZDF supports this policy as it recognises the importance of uses and development in the coastal marine area that provide significant community benefits, such as the provision of infrastructure.	Retain Policy 3.3.1 as notified.
2	Objective 4.2.1 and Policy 4.3.2	Support	It is appropriate to recognise at a policy level that public access along the coastal marine area may be restricted during military training activities. NZDF considers these provisions are consistent with Policy 19 of the NZCPS 2010, which requires the Coastal Plan to provide for restrictions on public access for defence purposes.	Retain Objective 4.2.1 and Policy 4.3.2 as notified.
3	Objective 10.2.1 and Policy 10.3.1	Support	NZDF considers the objective and policy for noise is appropriate.	Retain Objective 10.2.1 and Policy 10.3.1 as notified.
4	Section 12.1 (Occupation of Space) Rule 1	Support with amendment	<p>NZDF supports there being a rule that specifically permits temporary occupation of the foreshore for events, subject to appropriate conditions. However, this rule should apply to all parts of the coastal marine area, not just the foreshore, as it is appropriate for temporary activities to occupy the coastal marine area for short periods.</p> <p>NZDF also considers the following conditions require amendment:</p> <p>(a): it is unclear how the restriction on duration would be applied, for example if it relates to three consecutive days or three days in total over six months. NZDF also considers that three days is too short a period, and occupation of up to five days is appropriate as a permitted activity.</p> <p>(b): the current wording assumes the foreshore or seabed surface is flat and without depressions prior to the occupation occurring. In recognition of different surface topography, it is more appropriate to require the surface to</p>	<p>Amend the rule as follows:</p> <p><i>“Any event which restricts or excludes public access within the foreshore <u>coastal marine area</u>, including military exercises, is a permitted activity provided that all of the following conditions are met:</i></p> <p><i>(a) The restriction or exclusion is for a period not exceeding three <u>five consecutive</u> days in any 6 month period;</i></p> <p><i>(b) The disturbance of the foreshore <u>or seabed</u> is confined within the perimeter of the area of occupation, and when completed the <u>surface of the foreshore or seabed is smoothed flat with no visible depressions greater than 0.5 metres in depth; reinstated and left in a similar condition to its pre-existing condition (prior to the occupation occurring);</u></i></p> <p>...”</p>

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			be reinstated and left in a similar state to its pre-existing condition.	
5	Section 12.3 (Disturbance Activities)	Oppose	<p>The Proposed Plan contains permitted activity rules for selected disturbance activities only, being (broadly) the removal of natural material, debris clearance, geotechnical testing, the burial of animals, and small-scale disturbance associated with structures. Any other disturbance activity does not appear to be provided for, and the default discretionary activity status of Rule 25 would likely apply regardless of the level of effects.</p> <p>For clarity, NZDF considers the Coastal Plan should include a rule specifically permitting minor disturbance of the foreshore and seabed, such as could occur from vehicle movements, amphibious landings for military training, and training in the use of portable water treatment units. The permitted activity conditions should be guided by existing permitted activity conditions (Rules 15-22) and the matters in s12 of the RMA.</p>	Include a new rule that permits minor disturbance of the foreshore and seabed, subject to reasonable conditions relating to adverse effects on the foreshore, seabed, plants and animals, and historic heritage.
6	Section 12.5 (Discharges) Rule 35	Support	It is appropriate for the discharge of water to the coastal marine area to be permitted, provided the potential adverse effects are managed.	Retain Rule 35 as notified.
7	Section 12.5 (Discharges) Rule 36	Support	<p>NZDF supports the inclusion of a specific rule for hull cleaning.</p> <p>A permitted activity status is appropriate for this essential activity where the potential adverse effects are minimised.</p>	Retain Rule 36 as notified.
8	Section 12.6 (Takes and Use)	Oppose	The Proposed Coastal Plan does not appear to contain rules regulating the taking and use of open coastal water, or the taking of coastal water from river mouths, estuaries and lagoons (although we note its use is permitted by Rule 39).	<p>For clarity, include a new rule that permits the take and use of all coastal water.</p> <p>Alternatively the explanation to the rules relating to the take and use of coastal water should make it</p>

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			<p>Military training in the coastal environment can include training in the use of portable water treatment units, which involves the taking and use of coastal water.</p> <p>While s14 of the RMA permits the taking and use of open coastal water unless the Plan states otherwise, NZDF considers a specific permitted activity rule should be included for clarity and to assist the user. Alternatively the explanation to the rules relating to the take and use of coastal water should make it clear that they do not apply to the take and use of open coastal water which is not restricted by s14.</p> <p>The taking of coastal water from river mouths, estuaries and lagoons (i.e. other than open coastal water) is restricted by s14, and consent would therefore be required as a Discretionary Activity under s87B of the RMA as the Coastal Plan does not contain a relevant rule. NZDF considers it would be better practice for the Coastal Plan to include a specific rule for this activity, and that it is appropriate for the Plan to permit some water to be taken.</p> <p>NZDF supports that coastal water in river mouths, estuaries and lagoons can be used as a permitted activity with no conditions (Rule 39).</p>	<p>clear that they do not apply to the take and use of open coastal water which is not restricted by s14.</p>
9	<p>Section 12.7 (Noise)</p> <p>Rule 45</p>	Support with amendment	<p>Rule 45 is appropriate to manage the adverse effects from noise generated in the coastal marine area.</p> <p>However, NZDF considers the noise limits are unnecessarily restrictive on helicopter landing areas. The New Zealand Standard 6807 has been developed specifically to address the noise of helicopter landing, it is widely used in District Plan rules, and it is considered more appropriate than the proposed limits.</p>	<p>Amend Rule 45 as follows, or include the noise from helicopter landing areas in a separate rule:</p> <p><i>“The emission of noise from within the coastal marine area is a permitted activity provided that:</i></p> <p>...</p> <p><i><u>The emission of helicopter noise from helicopter landing areas is a permitted activity provided that it occurs in accordance with NZS 6807 (1994) “Noise Management and Land Use Planning for Helicopter Landing Areas.”</u></i></p>

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10	Definition for military exercise	Oppose	The Proposed Coastal Plan uses the term “military exercise”; however this is not defined. It is appropriate to include a definition for the purposes of clarity.	Include a new definition for “military exercise” as follows: <i>“any training undertaken by the New Zealand Defence Force for defence purposes (as described by section 5 of the Defence Act 1990).”</i>
11	Definition for regionally significant infrastructure	Support with amendment	<p>NZDF supports the inclusion of strong provisions for infrastructure within the Coastal Plan. However, as the Plan is currently written it does not provide any protection for the current or any future potential defence facilities as they are not included within the definition of regionally significant infrastructure. Defence facilities are key strategic infrastructure of national and regional importance, playing a significant role in both military training and civil and/or national defence operations. They also play an important role in supporting search and rescue operations and infrastructure support capabilities (for example deployment of water purification and supply facilities as used in the aftermath of the Christchurch earthquakes).</p> <p>The proposed definition modification will provide defence facilities with the policy support and protection that is appropriate given their regional and national importance.</p>	Amend the definition for “regionally significant infrastructure” to include “ <i>defence infrastructure and facilities</i> ”.