- 2 SEP 2019

Hon David Parker
Minister for the Environment
Executive Wing
Parliament Buildings
WELLINGTON

Dear Minister

COMPREHENSIVE REVIEW OF THE RESOURCE MANAGEMENT ACT 1991

Ministers have been invited to contribute to a comprehensive review of the Resource Management Act 1991 (RMA) by advising you of their key concerns about the current legislation. Those most relevant to the Defence portfolio are summarised below.

Matters of National Importance

The New Zealand Defence Force (NZDF) makes a significant contribution to the health, safety and wellbeing of people and communities both in New Zealand and internationally. It provides national security and contributes to disaster response, recovery and humanitarian relief. It does so from a Defence Estate network of diverse locations across New Zealand, some of which are under increasing risk of operational constraint from local developments and decisions. I therefore seek the inclusion of ‘Defence and National Security purposes’ in section 6 of the RMA as matters of national importance to avoid local planning decisions negatively impacting Defence requirements.

Requiring Authority Powers and Designations

The location and use of Defence locations and infrastructure are not always recognised in local land use plans and policies. This limits their visibility and subsequently can compromise their ongoing protection and development potential. This requires the NZDF to regularly advocate for their inclusion in local plans. I ask that a revised RMA provide direction that local plans and policies are to provide for the protection and development of ‘Defence infrastructure’.

Similarly, Requiring Authority powers and designations are essential to the development and protection of Defence camps, bases, training areas and their associated infrastructure. These are provided for by the current RMA designation regime. I propose that these provisions are retained so that the presence of Defence locations is highlighted and provided for.
Reverse Sensitivity

Reverse sensitivity is a significant and increasing risk to the capabilities and outputs provided from Defence facilities. Current examples are the proposed development next to Whenuapai Air Base where developers have applied to the Environment Court for declarations challenging the status of engine testing at the Base; at West Melton near Burnham Camp where the local community opposes Council initiatives to protect use of the firing ranges from reverse sensitivity effects; and at Papakura Military Camp where there is intensive new urban development close by.

The current focus on enabling urban development, in part to address housing supply, will likely increase reverse sensitivity pressures. The potential conflict between national urban development objectives and the protection of nationally significant infrastructure would ideally be addressed by the legislation review, with reverse sensitivity identified as a significant issue to be resolved in local land use policies and plans. Greater protection of existing locations could be achieved for example through national direction or guidance in a revised RMA.

Temporary Military Training Activities

The NZDF regularly undertakes Temporary Military Training Activities throughout New Zealand. These range from the international Exercise Southern Katipo to various smaller scale training exercises in diverse locations. Under the current RMA regime, the NZDF must make formal submissions to individual Councils seeking provision for Temporary Military Training Activities in district plans. This involves Council hearings and in some cases Environment Court appeals. The current localised approach and diversity of planning provisions does not achieve the national consistency and agility that training for Defence outputs requires.

I seek a simpler and more consistent national approach to Temporary Military Training Activities. The NZDF previously sought national direction on Temporary Military Training Activities by proposing their inclusion in National Planning Standards. They were excluded from the first Standards as such specific rules were not within scope. I ask that a National Policy Statement for Defence Activities and/or a National Environmental Standard for Temporary Military Training Activities now be included in the RMA to resolve this.

Thank you for the opportunity to contribute to the RMA review. NZDF officials are available to meet Ministry for the Environment officials to elaborate on these concerns if required.

Yours sincerely

Hon Ron Mark
Minister of Defence