



New Zealand Defence Force
 Defence Estate and Infrastructure
 Level 6 Reserve Bank
 NZDF Headquarters
 Private Bag 39997
 Wellington 6045

Further Submission on the Far North Proposed District Plan Addendum Document to the Summary of Submissions

To: Proposed Far North District Plan
 Far North District Council

Address: Private Bag 752
 Kaikohe 0400

Email: pdp@fndc.govt.nz

Submitter: New Zealand Defence Force

Contact Person: Catherine Absil-Couzins, Senior Statutory Planner
 (Defence Estate and Infrastructure)

Address for Service: New Zealand Defence Force
 C/- Tonkin + Taylor
 PO Box 5271, Victoria Street West
 Auckland 1142
 Attn: Karen Baverstock

Phone: 021 934 270

Email: Catherine.Absil-Couzins@nzdf.mil.nz
kbaverstock@tonkintaylor.co.nz

This is a further submission on the Summary of Submissions Addendum Document to the Proposed Far North District Plan. A detailed further submission is attached.

The New Zealand Defence Force (NZDF) represents a relevant aspect of the public interest. Under Section 5 of the Defence Act 1990, NZDF responsibilities include the defence of New Zealand, the protection of the interests of New Zealand, the provision of assistance to the civil power either in New Zealand or elsewhere in time of emergency, and the provision of any public service. NZDF therefore has an interest in the Proposed Far North District Plan that is greater than the interest the general public has.

NZDF does wish to be heard in support of its further submission.

If others make a similar further submission, NZDF will consider presenting a joint case with them at the hearing.

A copy of this further submission has been sent to each person who made the original submission.

Person authorised to sign
 on behalf of New Zealand Defence Force

Date 22/3/24

Table 1: NZDF Further Submission

Submitter	Plan provision	Summary of submission	NZDF position	NZDF Comment
<p>Lucklaw Farm Limited</p> <p>S585.001</p> <p>john@lucklaw.co.nz</p> <p>576.001</p>	<p>Coastal Environment</p>	<p>Seeks a comprehensive rule which sets out standards for vehicle access on beaches and restricts use of beaches (including sand dunes, the foreshore and seabed area) by vehicles except for specific purposes, in order to preserve the natural character and biodiversity of beaches in the Far North. Rules are sought to similar effect as Rule DD7 vehicle access on beaches from Bay of Plenty Regional Coastal Environment Plan, but to also apply to the entirety of the beach area including that area of beach above the mean high-water springs and including the sand dunes.</p>	<p>Oppose</p>	<p>NZDF considers that the Proposed District Plan as notified contains numerous provisions that are designed to provide for the preservation of the natural character of the coastal environment (s6(a) of the RMA), the protection of outstanding natural features and landscapes from inappropriate subdivision, use and development (s6(b)) and the protection of areas of significant indigenous vegetation and significant habitats of indigenous fauna (s6(c)), without the addition of extra rules as suggested by the submitter.</p> <p>Rules as suggested by the submitter would also be <i>ultra vires</i> where they relate to the area below Mean High Water Springs, which is the function of the Northland Regional Council. The Proposed Northland Regional Plan February 2024 which has had all appeals resolved and so is to be treated as operative already contains provisions concerning the use of vehicles on the foreshore or seabed, for example:</p> <p><i>C.1.5.1 Conditional use of vehicles on the foreshore or seabed – permitted activity.</i></p> <p>District Councils may also make bylaws under the Local Government Act 2002 that control (including prohibiting) the use of vehicles on beaches as well as dunes. This may be another option available to the Council.</p> <p>NZDF must undertake training in order to fulfil its statutory obligations under the Defence Act. Temporary Military Training Activity (TMTA) can include a wide variety of activities, for example water purification training, driver training in off-road environments and search and rescue training. This training is carried out in a range of environments with no or minimal adverse effects. In addition, NZDF is often involved in emergency service activity (e.g. firefighting, search and rescue operations and provision of potable water, including following floods, cyclones and other natural disasters). These activities are by their nature temporary, and many have effects similar to other day-to-day activities. It is possible that TMTA and emergency response activities could be carried out in the Far North District coastal environment. If the submitter’s relief is accepted, then for the above reasons NZDF requests an exemption for Defence Force vehicles and activities from any such rules and restrictions.</p>