

Submission on Dunedin Plan Change 1 - Minor Improvements to the Partially Operative Second Generation Dunedin City District Plan 2024

Clause 6 of First Schedule, Resource Management Act 1991

To: Dunedin City Council
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Preliminary Matters

1. This is a submission by the New Zealand Defence (“NZDF”) on Dunedin Plan Change 1 - Minor Improvements to the Partially Operative Second Generation Dunedin City District Plan 2024 (“PC 1”).
2. The specific aspects of PC 1 that NZDF’s submission relates to are¹:
 - a. Change ID SHB3 (Scheduled Heritage Buildings);
 - b. Change ID PHS6 and TA3 (noise and vibration); and
 - c. Change ID CP1 (high trip generators).

Scheduled Heritage Buildings

3. Relevant to NZDF, PC 1 proposes to include the following NZDF sites as Scheduled Heritage Buildings in the Partially Operative Second Generation Dunedin City District Plan 2024 (“2GP”):
 - a) Kensington Drill Hall at 24 Bridgman Street - entire external building envelope and parade ground, excluding any ACM roof cladding (site number BX036); and
 - b) Mobilisation Store and Office/RNZNVR Divisional Headquarters (former) (collectively referred to as “RNZNVR Divisional Headquarters”) at 211 St

¹ Including all changes related to those Change IDs or alternatives within the associated ‘purpose of proposal and scope of change’.

Andrew Street - entire external building envelope, including Hall and former P.W.D Workshop (site numbers BX037 and BX038).

4. The Kensington Drill Hall and RNZNVR Divisional Headquarters (“Defence properties”) are currently utilised by NZDF, and contribute to the ability of NZDF to meet statutory Defence purposes under section 5 of the Defence Act 1990. Defence purposes include the defence of New Zealand, the provision of assistance to the civil power either in New Zealand or elsewhere in times of emergency, and the provision of public service when required.
5. NZDF is opposed to inclusion of the Defence properties as Scheduled Heritage Buildings in the 2GP for the reasons outlined below.

Reasons for NZDF’s submission

6. NZDF, as a Crown agency, is subject to government heritage policies, including the Policy for Government Management of Cultural Heritage Places 2022. NZDF implements government heritage policy through its own heritage policy. NZDF’s heritage policy includes keeping a Heritage Register which confers protection on identified buildings. The Defence properties are included in the NZDF Heritage Register.
7. While NZDF recognises the heritage significance of the Defence properties, neither are included in the Heritage New Zealand Pouhere Taonga (HNZ) register, nor currently included as Scheduled Heritage Buildings in the 2GP.
8. NZDF currently utilises both properties, though are intending to consolidate into one lease site in Dunedin. Once this new lease site is operational, it is likely NZDF will have no further requirement for the Defence properties at Bridgman Street and St Andrew Street and they will then be disposed of in accordance with the Public Works Act 1981 (PWA).
9. The disposal process requires NZDF to notify and consult with HNZ. HNZ will assess whether there are any historic heritage values that need protection before the land is transferred to another agency or disposed of. The Policy for Government Management of Cultural Heritage Places 2022 sets out factors that NZDF should consider when disposing of land that may have heritage values.
10. NZDF’s position is that inclusion of the Defence properties as Scheduled Heritage Buildings in the 2GP is unnecessary, and are not the most appropriate, efficient or effective way to achieve heritage objectives because:
 - a. Heritage issues associated with the property will be appropriately considered as part of the PWA disposal process;
 - b. It will not result in improved heritage protection outcomes for the Defence properties and will duplicate heritage considerations under (and potentially impede) the PWA disposal process; and
 - c. Will create an inflexible constraint on future development or use of the Defence properties and create a risk that the buildings will eventually be abandoned.

11. In summary, inclusion of the Defence properties as Scheduled Heritage Buildings is not the most appropriate way to achieve the purpose of the Resource Management Act 1991. A better outcome in terms of heritage protection and enabling the ongoing use of the Defence properties as heritage buildings will be achieved through HNZ engagement in the disposal process, as it will allow flexibility for management of the buildings to be retained.
12. Accordingly, **NZDF seeks the following decision from the Dunedin City Council:**
- a. That the following properties are not included as Scheduled Heritage Buildings/Items in the 2GP:
 - i. Kensington Drill Hall at 24 Bridgman Street - entire external building envelope and parade ground, excluding any ACM roof cladding (site number BX036); and
 - ii. Mobilisation Store and Office/RNZNVR Divisional Headquarters (former) (collectively referred to as "RNZNVR Divisional Headquarters") at 211 St Andrew Street - entire external building envelope, including Hall and former P.W.D Workshop (site numbers BX037 and BX038).

Noise and Vibration/Military Exercises

13. The 2GP contains provisions for military exercises, including specific noise provisions applying to such exercises (Rule 4.5.4.4). NZDF seeks to ensure that its ability to undertake military exercises in accordance with current provisions (including applicable noise and vibration provisions) is not compromised by proposed changes or associated changes and clarifications under PC 1.
14. Military exercises are an activity in the temporary activities category in the 2GP, and are included in the Activity Status table for Temporary Activities (4.3.2). PC 1 includes proposed changes to temporary activities definitions regarding construction and investigation activities. NZDF understands that the proposed changes to definitions do not affect "military exercises" as a category of temporary activity.
15. Proposed changes to noise and vibration rules, including Rule 4.5.4.1, (Change ID PHS6 and TA3) are relevant to military exercise provisions because Rule 4.5.4.4 (a)(i) cross-references Rule 4.5.4.1, as below:
- 4.5.4.4 Military exercises*
- a) Noise from military exercises must not exceed the following limits:*
- i) for mobile noise sources, the noise limits for construction set out in Rule 4.5.4.1 apply.*
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16. Although the intent of proposed changes to noise and vibration rules appears mainly focussed on corrections and alignment in relation to long-term duration construction, due to the cross-reference in Rule 4.5.4.4, NZDF seeks to ensure that NZDF's ability to undertake military exercises is not compromised by the proposed changes.
17. PC 1 also proposes to introduce high trip generator rules to manage traffic effects (Change ID CP1). As with noise and vibration, NZDF seeks to ensure that NZDF's ability to undertake military exercises, and to operate from, or at its sites is not compromised by the proposed changes.

18. Accordingly, **NZDF seeks the following decision from the Dunedin City Council:**
That appropriate consideration is given to any potential impact of proposed changes on provisions applying to NZDF activities (including military exercises) to ensure that NZDF's ability to undertake military exercises or activities is not compromised.

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, **NZDF will consider** presenting a joint case with them at the hearing.



18 December 2024

Person authorised to sign
on behalf of New Zealand Defence Force