

Response ID ANON-URZ4-5FNV-M

Submitted to Fast-track approval applications  
Submitted on 2024-05-03 20:37:32

Submitter details

Is this application for section 2a or 2b?

2A

1 Submitter name

Individual or organisation name:  
Specialised Container Services (Christchurch) Limited ('SCS')

2 Contact person

Contact person name:

s 9(2)(a)

3 What is your job title

Job title:

s 9(2)(a)

4 What is your contact email address?

Email:

s 9(2)(a)

5 What is your phone number?

Phone number:

s 9(2)(a)

6 What is your postal address?

Postal address:

s 9(2)(a)

7 Is your address for service different from your postal address?

Yes

Organisation:  
MinterEllisonRuddWatts

Contact person:  
Stephanie de Groot

Phone number:  
021929296

Email address:  
stephanie.degroot@minterellison.co.nz

Job title:  
Partner

Please enter your service address:

s 9(2)(a)

Section 1: Project location

Site address or location

Add the address or describe the location:

320A Cumnor Terrace  
Woolston  
Christchurch  
Canterbury  
8023

File upload:  
Location maps.pdf was uploaded

Upload file here:  
No file uploaded

Do you have a current copy of the relevant Record(s) of Title?

Yes

upload file:  
842854\_Guaranteed\_Search\_Note(902473236.1).pdf was uploaded

Who are the registered legal land owner(s)?

Please write your answer here:

Braeburn Property Limited

Detail the nature of the applicant's legal interest (if any) in the land on which the project will occur

Please write your answer here:

SCS leases the Site - 2.16 hectares of the Site is leased from Braeburn Property Limited and 2.13 hectares of the Site is sub-leased from NZ Express Transport (2006) Limited.

## Section 2: Project details

What is the project name?

Please write your answer here:  
Specialised Container Services Christchurch Depot Project ('Project').

What is the project summary?

Please write your answer here:

To provide for the effective operation of a regionally significant shipping container depot and associated operations within the Portlink industrial subdivision.

What are the project details?

Please write your answer here:

Purpose: The purpose of this project is to enable a regionally significant container depot to operate from the site, in an effective, efficient, functional and sustainable manner that meets regional needs for the survey, maintenance, repair, storage and handling of empty shipping containers.

Objectives: The objectives include:

- (a) Providing for the effective, efficient, and functional operation of the established container depot activity on the site.
- (b) Meeting regional needs for the survey, maintenance, repair, storage and handling of empty shipping containers.
- (c) Sustaining and creating job opportunities and economic growth associated with the container depot activity and the transport and logistics industry to the extent that it relies on this activity.
- (d) Managing the effects of the activity to an appropriate level accounting for other sites and activities within the surrounding environment.

Activities: The project activity primarily involves the storage, stacking and movement of shipping containers on the site, as well as minor surveying, maintenance and repair of shipping containers while on the site. Noting that resource consents are held for this activity but with conditions that unreasonably constrain the heights of container stacks (to a maximum of 11m above the sealed ground level of the site), this project seeks fast-track approval to enable greater stack heights as is required to meet the operational and functional needs of the business. In particular, the activity proposes that containers be stacked on a staggered basis from the Tunnel Road and Heathcote River/ODP greenspace boundary as follows:

- (a) Reducing the height of containers stacked along the two boundaries to four containers high, or a maximum of 11.6m above current ground level (which is the height of a stack of four high cube containers) from the following locations:
  - from the internal Portlink Industrial Park ODP greenspace boundary (along the north-western Site boundary) to a distance of 19.8m; and
  - from the Tunnel Road Site boundary, 2m from the boundary to 43.5m;
- (b) Behind this, reducing the height of containers stacked to five containers high, or a maximum of 14.5m above current ground level (for high cube

containers) in the following locations:

- from the ODP greenspace boundary (along the north-western Site boundary), from 19.8m to 40.2m; and
- from the Tunnel Road Site boundary, from 43.5m to 85.1m.

(c) Behind this, stacking to a maximum of six containers high to a maximum height of 17.4m above current ground level (for high cube containers), in the following locations:

- from the ODP greenspace boundary (along the north-western Site boundary), from 40.2m for the balance of the Site; and
- from the Tunnel Road Site boundary, from 85.1m for the balance of the Site.

The proposal is visually demonstrated in a graphic supplement attached to this application.

Describe the staging of the project, including the nature and timing of the staging

Please write your answer here:

Resource consents are sought in relation to the entire proposal and staging is not proposed.

What are the details of the regime under which approval is being sought?

Please write your answer here:

Resource Management Act 1991 – resource consent.

If you seeking approval under the Resource Management Act, who are the relevant local authorities?

Please write your answer here:

Christchurch City Council.

What applications have you already made for approvals on the same or a similar project?

Please write your answer here:

Applications for a certificate of compliance and for a resource consent have been made in relation to the Project, as follows:

On 24 November 2022, the site owner (Braeburn Property Limited) lodged an application for a combined subdivision and land consent. The subdivision component sought consent for a three-lot fee simple (boundary adjustment) subdivision with associated vesting of an esplanade reserve along the Heathcote River. The land use component sought consent for activities that would enable industrial activities to be undertaken on the site. This included the following activities:

- (a) a sealed hardstand and fencing area (including a 2.4m high chain link security fence and a 2.4-metre-high solid timber acoustic fence) within an identified greenspace area;
- (b) use of the sealed area within the greenspace area for activities permitted within the zone with a maximum structure height of 5.8 metres measured from finished ground level (which equates to a height of two stacked high cube containers); and
- (c) earthworks, fencing and industrial activities within a water body setback and flood management area.

A dispute before and during processing of this application as to whether shipping containers are subject to an 11-metre building height restriction that affects a significant area of the site. Braeburn and SCS' position has always been that shipping containers are not "buildings" for the purposes of the Christchurch District Plan and therefore are not subject to the 11-metre height restriction. Christchurch City Council disagrees.

Originally the application included a proposal for shipping containers to be stacked on the site above the 11-metre building height restriction. This part of the application was removed due to the interpretation issue. To address the issue the site owner (Braeburn Property Limited) lodged three certificate of compliance ('COC') applications on 27 October 2023 and 29 November 2023 for permitted activities being the outdoor storage and stacking of items including shipping containers, freight, haybales, scrap metal and crushed car bodies exceeding 11m in height. SCS later became a co-applicant for the COC application relating to the storage and stacking of shipping containers. On 29 January 2024, a decision on the COC applications was issued, finding that a stack of containers above 11m high constituted a "building" under the definition of building in the District Plan, and on that basis the COC applications were refused.

The decisions on the COC applications are currently subject to Environment Court appeals by SCS and Braeburn Property Limited. SCS and Braeburn Property Limited have also filed a related joint application for declarations in the Environment Court. The appeals and application for declarations were filed on the basis that empty shipping containers (individually or stacked) do not constitute a "building" and are therefore not subject to the 11-metre building height restriction. This matter is yet to be determined. This fast track application is therefore filed without prejudice to the Environment Court proceedings and SCS and Braeburn Property Limited's position that shipping containers are not "buildings".

Following the COC decisions, the subdivision and land use consent was issued on 9 February 2024. Notably, the consent was subject to a condition restricting the height of shipping containers within the Portlink Outline Development Plan Area 11m height overlay to 11m from the sealed ground level of site. Braeburn has objected to various aspects of the decision.

Is approval required for the project by someone other than the applicant?

No

Please explain your answer here:

No other approvals are required, noting the site is established with hardstand, servicing infrastructure (water, power, communications), vehicular access, and secure fencing. Resource consents are held for the majority of the activity.

Fast-track approval is only required to authorise the additional, staggered height of container stacks as described in section 3 of this application, where this exceeds the 11m maximum height currently approved (without prejudice to SCS and Braeburn's position that shipping containers are permitted to exceed the 11m building height restriction that applies to the Site).

If the approval(s) are granted, when do you anticipate construction activities will begin, and be completed?

Please write your answer here:

Given that the physical works for the site and required infrastructure are already established and the container depot is operational, the activity would be implemented immediately following approval.

### Section 3: Consultation

Who are the persons affected by the project?

Please write your answer here:

Persons likely to be affected by the project include:

- (a) Christchurch City Council (as the relevant local authority).
- (b) Adjoining property owners and occupiers.
- (c) Ngāi Tūāhuriri Rūnanga and Te Hapū o Ngāti

Detail all consultation undertaken with the persons referred to above. Include a statement explaining how engagement has informed the project.

Please write your answer here:

Consultation with the persons referred to above is detailed as follows:

(a) Extensive consultation and engagement has occurred with Christchurch City Council, in regards: the nature of the container storage activity on the site; compliance with applicable District Plan rules and any corresponding resource consent requirements; the actual and potential effects associated with the activity; and measures to avoid, remedy or mitigate adverse effects. That consultation has informed the Project, insofar that the staggered height of container stacks proposed in this application reflects a balance between the operational and functional needs of SCS and Council's preference to minimise the height of stacks.

(b) Christchurch City Council has also undertaken extensive consultation with nearby residents and landowners in relation to the existing container storage activity on the site. The feedback provided by the community has been passed on to SCS by Christchurch City Council, and this has informed the Project.

(c) See below for an explanation of consultation undertaken with Ngāi Tūāhuriri Rūnanga and Te Hapū o Ngāti in relation to the development of the Site.

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Describe any processes already undertaken under the Public Works Act 1981 in relation to the land or any part of the land on which the project will occur:

Please write your answer here:

N/A.

### Section 4: Iwi authorities and Treaty settlements

What treaty settlements apply to the geographical location of the project?

Please write your answer here:

The Ngāi Tahu Claims Settlement Act 1998 applies to the geographical region within which the project is located. However, there are no statutory acknowledgement areas relevant to, or affected by this project. The Act is aimed at redressing historical grievances of the Ngāi Tahu iwi against the Crown. In summary, its key principles and provisions include:

1. Apology: The Act includes an apology from the Crown to Ngāi Tahu for historical breaches of the Treaty of Waitangi and for other injustices suffered by Ngāi Tahu.

2. Redress: Ngāi Tahu received financial and non-financial redress as compensation for past grievances. This includes monetary settlements, the transfer of Crown-owned land, and the establishment of cultural, environmental, and economic initiatives to benefit Ngāi Tahu.

3. Cultural Redress: The Act recognizes Ngāi Tahu's cultural, spiritual, and historical connection to certain areas of land and natural resources. It provides for the return of specific culturally significant sites and the protection of customary rights.

4. Governance: The Act establishes mechanisms for the representation and participation of Ngāi Tahu in the management of natural resources, conservation areas, and other matters affecting the iwi's interests. This includes the creation of entities such as Te Rūnanga o Ngāi Tahu to oversee the iwi's affairs.

5. Co-Management: It promotes co-management arrangements between Ngāi Tahu and government agencies for the management of conservation lands, fisheries, and other natural resources within Ngāi Tahu's traditional territory.

6. Settlement Process: The Act outlines the process for negotiating and implementing the settlement, including mechanisms for dispute resolution and the establishment of a historical account of Ngāi Tahu's grievances.

7. Future Relations: The Act aims to establish a framework for ongoing cooperation and partnership between Ngāi Tahu and the Crown, recognizing the importance of building a positive relationship based on mutual respect and understanding.

Ngāi Tūāhuriri Rūnanga and Te Hapū o Ngāti Wheke (Rāpaki) have been consulted on the proposal, through the subdivision and land use consent process. In summary, ngā Rūnanga's only concerns related to potential impacts on the values of the Heathcote River that adjoins the site. Those matters were addressed by way of consent conditions proposed by ngā Rūnanga that were accepted by the applicant and are not altered by this application. Notably, no concerns were raised regarding container stack heights which is the key matter for this application.

Are there any Ngā Rohe Moana o Ngā Hapū o Ngāti Porou Act 2019 principles or provisions that are relevant to the project?

No

If yes, what are they?:

Are there any identified parcels of Māori land within the project area, marae, and identified wāhi tapu?

No

If yes, what are they?:

Is the project proposed on any land returned under a Treaty settlement or any identified Māori land described in the ineligibility criteria?

No

Has the applicant has secured the relevant landowners' consent?

Yes

Is the project proposed in any customary marine title area, protected customary rights area, or aquaculture settlement area declared under s 12 of the Māori Commercial Aquaculture Claims Settlement Act 2004 or identified within an individual iwi settlement?

No

If yes, what are they?:

Has there been an assessment of any effects of the activity on the exercise of a protected customary right?

No

If yes, please explain:

Upload your assessment if necessary:

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## Section 5: Adverse effects

What are the anticipated and known adverse effects of the project on the environment?

Please describe:

Given that the site is zoned for industrial activities and has resource consents enabling the container depot, the only potential adverse effects of the Project relate to visual amenity effects associated with higher container stack heights than currently authorised. The applicant holds relevant expert reports confirming the following:

Visual amenity effects: The effects that would result from the proposed Project have been determined by identifying sensitive receptors and using two cross-sections (as attached to this application) to compare the proposal with the permitted 11 metre building height.

The most sensitive receptors have been identified as nearby residents on Ferry Road, Gould Crescent, Long Street and Barton Street; members of the

public travelling on roads near the site; and recreational users of walking tracks/paths near the site. The proposed staggering of container heights away from these receptors is an appropriate method to mitigate potential visual amenity and dominance effects without needing to adhere strictly to 11 metres across the site. Beyond these receptors, effects diminish due to distance, intervening buildings and vegetation, aspect and view context. With distance visual dominance becomes less of a concern as the additional stacked containers are less discernible. The potential adverse visual amenity effects of the proposal are considered to be acceptable.

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SCS - Portlink Graphic Supplement.pdf was uploaded

## Section 6: National policy statements and national environmental standards

What is the general assessment of the project in relation to any relevant national policy statement (including the New Zealand Coastal Policy Statement) and national environmental standard?

Please write your answer here:

National Policy Statement on Urban Development 2020

The National Policy Statement on Urban Development 2020 (NPS-UD 2020) aims to ensure well-functioning urban environments that meet the changing needs of diverse communities. It emphasises the removal of overly restrictive barriers to development, seeking to enable growth 'up' and 'out' in locations that have good access to existing services, public transport networks, and infrastructure.

Enabling a container depot to operate with adequate heights for container stacks, as is proposed, is consistent with the NPS-UD 2020 in several ways:

1. **Efficient Land Use:** Allowing higher stack heights supports the more efficient use of industrial land, which is a finite physical resource. By stacking containers vertically, a depot can handle more containers within the same footprint, reducing the need for horizontal expansion and preserving land for other uses.
  2. **Supporting Urban Growth:** As cities grow, the demand for goods and services increases. A container depot with higher stack heights can handle larger volumes of goods, supporting the economic needs of a growing urban population.
  3. **Utilising Existing Infrastructure:** The subject site was specifically selected for a container depot by SCS, given its proximity to existing transport infrastructure including the strategic road network and State Highway 74 and Lyttelton Port. This aligns with the NPS-UD 2020's emphasis on developing in areas with good access to existing infrastructure, represents an efficient use of zoned industrial land that is sited in proximity to transport connections, and reduces the need for extensive transport of goods.
  4. **Economic Wellbeing:** By providing jobs and supporting commerce, container depots can contribute to the social and economic wellbeing of urban communities, which is a key goal of the NPS-UD 2020.
- In summary, the project aligns with the NPS-UD by supporting well-functioning urban environments (Objective 1) through efficient operation of the container depot and managing local impacts via moderated height controls. It enables more businesses to operate in areas with good transport links and high industrial demand (Objective 3), given the depot's strategic location near key transport routes including the State Highway network and Lyttelton Port. The project responds to evolving community needs (Objective 4) and supports reductions in greenhouse gas emissions (Objective 8) due to its proximity to the strategic transport network, which minimises transport inefficiencies. Overall, the project positively contributes to urban environments and aligns with key NPS-UD objectives.

Other policy documents

Given the particulars of the land (an established industrial zone) and the project, the following NPS are not relevant: the New Zealand Coastal Policy Statement, NPS for Renewable Electricity Generation 2011, the NPS for Electricity Transmission 2008, and the NPS for Greenhouse Gases from Industrial Process Heat 2023, NPS for Highly Productive Land 2022, the NPS for Freshwater Management 2020, and the NPS for Indigenous Biodiversity 2023.

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## Section 7: Eligibility

Will access to the fast-track process enable the project to be processed in a more timely and cost-efficient way than under normal processes?

Yes

Please explain your answer here:

Timeframes and costs to proceed with a resource consent application under the standard RMA consenting route are uncertain, but likely longer and costlier than the consenting process under the fast track process.

Despite SCS' view that the application will have minor adverse effects and does not meet the relevant tests for limited notification, there is a significant risk that Christchurch City Council would decide to limited notify an application for resource consent for the Project under the standard RMA consenting process. This is primarily because of the public interest in the Site and a conservative approach which may be taken by Christchurch City Council. Given the public interest there is also a significant risk that any decision made by Christchurch City Council could be appealed to the Environment Court, which would add additional cost and delay to the consenting process.

The benefit of the fast track process is that it would enable affected parties to provide comments on the application and for their position to be

considered, while avoiding the considerable cost and delays associated with limited notification (being a council-level hearing) and potential de novo appeal to the Environment Court.

Slow speed, high cost and uncertainty associated with RMA consenting is a significant deterrent to investors in the Site and business and has opportunity costs (from not enabling efficient and effective business activity in the interim). The applicant needs more certainty at an earlier stage than the other process can offer to make decisions and investments in relation to the Project.

In addition, fast-tracking this project under the Fast-Track Approvals Bill 2024 would bring several specific benefits:

1. Accelerated Commencement: Fast-tracking would enable the Project to commence faster. Without fast-tracking, the project may not commence at all, or may be delayed by a further 18-24 months due to the alternative time-consuming consenting processes (assuming that an Environment Court appeal is pursued).

2. Opportunity Cost Reduction: Fast-tracking reduces opportunity costs associated with delays. Enabling development and business activity sooner, captures opportunities that would otherwise be lost or delayed whilst awaiting the conclusion of lengthy planning processes.

In summary, fast-tracking this Project would accelerate its benefits, reduce real and opportunity costs, and support economic development and job creation.

What is the impact referring this project will have on the efficient operation of the fast-track process?

Please write your answer here:

1. Project Alignment with Bill's Purpose: The project aligns well with the purpose of the Bill, which is to facilitate the delivery of infrastructure and development projects with significant regional or national benefits. This alignment means that the project is exactly the type of initiative the fast-track process was designed to handle.

2. Clear Objectives and Scope: The project's objectives are well-defined: enable the existing container depot to operate efficiently and effectively on the site with container stacks up to 17m in height (rather than 11m). Clarity in project scope ensures that decision-makers can assess its merits efficiently without unnecessary delays.

3. Efficient use of Resources: By fast-tracking a project that is ready to commence and has clear regional benefits, the decision-making body can focus its resources on projects that are ready to proceed, rather than spending time on projects that are not yet shovel-ready or do not align with the Bill's purpose.

Has the project been identified as a priority project in a:

Local government plan or strategy

Please explain your answer here:

Whilst the project is not specifically identified in a plan or strategy, the subject site is zoned for Industrial purposes and container depots are a permitted activity in this location under the Christchurch District Plan.

Will the project deliver regionally or nationally significant infrastructure?

Regional significant infrastructure

Please explain your answer here:

N/A.

Will the project:

contribute to a well-functioning urban environment

Please explain your answer here:

The project will contribute to a well-functioning urban environment in the following way:

1. Enabling a variety of sites suitable for different business sectors: The activity has specific location and site size needs and subject to the enablement of adequate height limits for container stacks, the site is ideally suited to meet these particular needs.

2. Good Accessibility: The high degree of connectivity of the site to Lyttelton Port, the State Highway network, the arterial road network, and surrounding industrial businesses ensures good accessibility – particularly given the transport-oriented nature of the activity. Enabling optimal and efficient use of the land through higher container stack heights also supports accessibility, relative to the dispersal of the activity over multiple sites, or its relocation to less accessible industrial zones on the periphery of Christchurch city.

3. Supporting Competitive Operation of Land and Development Markets: The optimal and efficient use of zoned industrial land by the activity as proposed generally supports the competitive operation of land and development markets. It also limits adverse impacts by providing more certainty for investors and preventing inefficiencies associated with horizontal expansion of the activity or its relocation to sub-optimal locations.

4. Supporting Reductions in Greenhouse Gas Emissions: Enabling consolidated industrial activity and container handling on the site in a location that is well connected to strategic transport networks, supports transport efficiency and reduces transport related emissions is strongly consistent with this matter (especially when compared to the alternative of less efficient use of the site and/or horizontal expansion or relocation of the activity).

5. Resilience to climate change: The subject land is resilient, insofar that it is not affected by coastal or other surface flooding risks that may escalate over time due to climate change. Enabling more effective and intensive use of resilient land is therefore consistent with this matter.

Will the project deliver significant economic benefits?

Yes

Please explain your answer here:

The site currently operates with the same height limits that are proposed in this application for the Project (as described in section 3), with the agreement of Council, and in accordance with a stay on an abatement notice issued by the Environment Court on 19 March 2024. The Project is seeking to continue this interim approach (without prejudice to SCS' position that there is no applicable height restriction on shipping containers on the Site given they are not "buildings").

The 11m height limit on container stacks that the Council considers applies to the Site under the Christchurch District Plan would otherwise result in a reduction of the potential capacity of the Site in excess of fifty percent, depending on the configuration of containers on the Site at any one time (and a significant reduction in capacity compared to the Project).

A reduction in capacity of this magnitude even in the short term will have a significant (negative) economic impact, noting:

(a) A crucial aspect of the revenue generated by SCS stems from the storage of containers on a per-container, per-24-hour basis. Implementing volume restrictions in the form of height limitations directly impacts SCS' overall container storage capacity, resulting in a decrease in income levels below sustainable thresholds.

(b) SCS does not have another site in Christchurch to house shipping containers and it have not identified any other available site and so the reduction in capacity will have a material impact on our ability to meet our customers' requirements. Essentially, failure to maximise the use of the Site will result in inability to meet the volume demands and specifications of our customers, potentially leading to lost contracts.

(c) the financial implications of this imposition would jeopardise the viability of operations on the site.

(d) At present 21 people are employed on a fulltime basis on this site. Their on-going employment would be impacted by any need to rationalise or potentially cease operations on the Site.

(e) SCS is mindful of how the issue may affect its business' reputation in the industry – both domestically and internationally, and the impact that may have on future business. Its reputation is extremely important in a competitive market.

Constraining the capacity on the Site will also have flow on effects on the industry more broadly, as it would:

(a) Potentially constrain and/or disrupt the supply of containers to Canterbury and South Canterbury exporters. Shipping Lines (as the container asset controllers) manipulate container stocks to meet seasonal and other export demands. To effectively undertake this, they need access to efficient container depots with sufficient flex to be able to satisfy the peaks and troughs of exporters demands.

(b) SCS contracts to shipping lines to prepare their container equipment for release to exporters. If it cannot meet demand, our customers seek alternatives, as export containers must be made available to pack points on a real-time basis. Failure to comply results in lost export bookings which is a serious impact to business operations.

(c) Ultimately, by having to find an interim solution for the displaced containers, disrupt the supply chain at this time of the year and over the next few months by reducing the availability of containers which are of importance to export industry.

(d) If shipping lines do not have access to other container depot services and capacity, they will have no option but to limit stockholdings in Canterbury which will have the knock-on effect of reducing ready access to container stocks for the shipping industry and limit export volumes.

The current depot was also established because of a lack of container yard capacity in the Canterbury region, and so the reduction of containers required by an 11m height control will only exacerbate this constraint. There are no other available sites that we can identify.

Reducing the stacking height of containers to 11m across the Site would also present a difficult logistical exercise. SCS does not have another local facility available to store the excess containers and has not been able to locate another site within the region. SCS anticipates that finding another facility to store the excess containers which is appropriately zoned, consented, and appropriate for the activity, will be difficult and could be costly.

Noting the above, the Project will deliver regionally significant economic benefits by enabling the depot to operate in an effective, efficient and sustainable manner that can meet the needs of local businesses and exporters in Canterbury and South Canterbury. This not only supports the growth and competitiveness of these businesses but also strengthens the regional economy by facilitating trade and commerce.

Moreover, the depot's strategic location near key transport routes and infrastructure enhances its role as a vital logistics hub in the region. It ensures a steady and efficient supply of containers, which is crucial for the smooth operation of the export industry, a key pillar of the regional economy.

In summary, the project will deliver regionally significant economic benefits given its importance to the regional economy, industry growth, trade, and employment in Canterbury and South Canterbury and otherwise noting the significant economic costs that will be incurred absent approval.

Will the project support primary industries, including aquaculture?

No

Please explain your answer here:

N/A

Will the project support development of natural resources, including minerals and petroleum?

No



Please explain your answer here:

Will the project support climate change mitigation, including the reduction or removal of greenhouse gas emissions?

Yes

Please explain your answer here:

The project supports climate change mitigation, including the reduction or removal of greenhouse gas emissions, primarily through its strategic and highly accessible location relative to key customers and the strategic transport network, including Lyttelton Port and the State Highway network.

Will the project support adaptation, resilience, and recovery from natural hazards?

Yes

Please explain your answer here:

The project site strongly supports adaptation, resilience and recovery from natural hazards, noting the land is not susceptible to any significant natural hazard risks and therefore more intensive and efficient use of the site is appropriate, and preferable to horizontal expansion over less resilient land in other locations.

Will the project address significant environmental issues?

Yes

Please explain your answer here:

There are no significant environmental issues applicable to the project. There are no significant or sensitive natural resources or features on the subject land, noting it is an established industrial zoned site.

Is the project consistent with local or regional planning documents, including spatial strategies?

Yes

Please explain your answer here:

The activity of container storage is consistent with local (and regional) planning documents, insofar that this is a permitted activity in this location under the Christchurch District Plan. To the extent that the District Plan imposes an 11m height limit, the applicant considers this relates to buildings but not shipping containers – a matter in dispute before the Environment Court.

Anything else?

Please write your answer here:

N/A

Does the project includes an activity which would make it ineligible?

No

If yes, please explain:

## Section 8: Climate change and natural hazards

Will the project be affected by climate change and natural hazards?

No

If yes, please explain:

## Section 9: Track record

Please add a summary of all compliance and/or enforcement actions taken against the applicant by any entity with enforcement powers under the Acts referred to in the Bill, and the outcome of those actions.

Please write your answer here:

An abatement notice was issued to SCS on or about 27 October 2022 requiring the removal of any item, including shipping containers, hardstand areas, and fencing, within the landscape and stormwater area of the Outline Development Plan applicable to the Site under the Christchurch District Plan. SCS complied with the abatement notice to the satisfaction of Christchurch City Council.

An abatement notice was issued to SCS on 7 February 2024 requiring (in summary) the removal, and preventing the placement of, any buildings, including shipping container stacks, higher than 11m within the 11m Building Height Limited Area of the Portlink Industrial Park Outline Development Plan in the Christchurch District Plan on the Site. SCS appealed the abatement notice to the Environment Court. In conjunction with the appeal, SCS sought a stay of enforcement of the abatement notice while the appeal is being determined. A stay was granted by the Environment Court, subject to conditions, with consent of Christchurch City Council, on 19 March 2024.

Load your file here:

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## Declaration

Do you acknowledge your submission will be published on [environment.govt.nz](https://environment.govt.nz) if required

Yes

By typing your name in the field below you are electronically signing this application form and certifying the information given in this application is true and correct.

Please write your name here:

Stephanie de Groot

Important notes