

COMMENT FORM

Land Use Recovery Plan Review: Draft Recommendations

Comments can be emailed to:
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Comments on Land Use Recovery
Plan Review Environment
Canterbury
P O Box 345
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SUBMITTER ID:
FILE NO: LAND/LURP/PLAN/1

All comments to be received by 5pm, Friday 28 August 2015

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Signature: 

Date: 28 August 2015

(Signature of person making submission or person authorised to sign on behalf of person making the comment)

Please note: All information contained in comments provided, becomes public information.

Comments

Draft Recommendation 1: The LURP Review should principally identify any areas for further consideration through more traditional statutory mechanisms rather than attempt to resolve them directly by recommending changes to the LURP.

See our comment below in regard to Recommendation 3. Whilst in theory using traditional statutory mechanisms for areas for further consideration might be appropriate, at present there is no ability to do so without being seen to be inconsistent with the RPS (Chapter 6, as inserted by the LURP). Small, sensible rezoning exercises should not have to rely on a “comprehensive spatial planning exercise” for the entire Greater Christchurch area, before they can occur.

Draft Recommendation 3: The Minister amend the LURP to show Figure 4 on page 23 of the LURP as being 'indicative' only, and remove Appendix 1 relating to Chapter 6.

The Trust strongly agrees with this draft recommendation. Confusion currently exists as to whether Chapter 6 forms part of the LURP and therefore RMA decision making cannot be inconsistent with it, or whether it is part of the RPS only, or both. As the LURP consultation document states, it is appropriate that the CRPS be the primary document for decision making.

Re section 3.3.3: Development outside greenfield priority areas: Do you have views on the conclusion reached?

In regard to the request for views and additional evidence in relation to development that has been unnecessarily and/or inadvertently inhibited or enabled through the insertion of Chapter 6 of the CRPS, the Trust comments as follows:

The Trust is experiencing issues with regards to the continued economic use and development of its land holdings. By way of context, the Trust owns around 1200ha of land at McLeans Island, between the Airport and the Waimakariri River (see Attachment A). All of that land sits outside the Urban Limit, as defined in the LURP/RPS. Under the current Christchurch City Plan it is zoned Open Space 3D. Under the proposed Christchurch Replacement District Plan (CRDP) it is to be zoned Rural Waimakariri and Rural Quarry, with some additional small areas of Open Space zoning. Through submissions on Phase 2 of the CRDP, the Trust has agreed that the proposed zoning of its property is generally appropriate. Where issues are arising however is in regard to the unusual mix of existing uses on that land and the ability to continue to develop those uses to support the Trust's conservation objectives into the future (see Attachment B for further information on the Trust and its objectives).

The Trust undertakes a wide range of activities on its land holdings. All land that is proposed to be zoned Rural Waimakariri is used only for typical pastoral farming activities, passive recreation (walkways) and conservation. This is appropriate. Within the proposed Rural Quarry zone however, the range of activities includes the following:

- farming (pastoral and dairy)
- quarrying, including stockpiling and processing of material through large scale permanent processing plant. New processing plant was recently established on the site at a cost of around 11 million dollars.
- offices for the Trust and for the Isaac Construction Company Ltd, the latter of which has been based at these premises since its establishment (in one form or another) back in the 1950s;
- an asphalt plant (lease holder) (significant capital investment)
- a concrete plant (AML, leaseholder) (significant capital investment).
- salmon rearing and factory (Aoraki Salmon, leaseholder)
- conservation activities – including associated buildings and extensive aviaries for breeding of critically endangered birds, mudfish and native species planting
- workshop for the maintenance and repair of Isaac Construction fleet
- a heritage village with some provision for public access
- car parking areas
- staff amenities.

As part of this mix, the workshop is badly in need of replacement. It is old and too small and no longer fit for purpose. It is the Trust's wish to establish a new workshop on the property to service the Isaac Construction fleet. The fleet however includes both its quarry vehicles and trucks that are also used off-site (e.g. road construction) and thus are not purely quarry related. Whilst it is highly preferable for the workshop to be established within the Trusts own landholdings, so that tracked vehicles and the like are not having to be carted off site for maintenance (increasing costs and impracticality), at the same time the costs of establishing a new workshop will be substantial, and it is hoped that it may be undertaken as a joint venture, including potentially servicing AML Concrete, who's fleet are also located on site, or Downer Construction, who have a fleet located in close proximity on McLeans Island Road. However, according to the City Council, servicing any vehicles other than purely quarry and farming vehicles would render the workshop an "industrial" activity, therefore an Urban Activity under the RPS and therefore cannot be allowed.

As can be seen from the above list, the range of activities that are occurring within the site, are somewhat unusual in the context of Christchurch and particularly in the context of a rural zone. The City Council policy planning staff are doing their best to accommodate the unusual activity mix and in particular to provide for additional conservation activities as much as possible, within the confines of the CRDP planning framework and RPS policy. Where challenges are arising however is in regard to the fairly black and white urban/rural and Urban Limit definitions in the RPS and the City Councils interpretation of those matters.

Previous discussions involving the Trust and Council planners have indicated a sensible zoning for part of the site might be a type of Rural Industrial zone. This could allow the permanent aggregate processing plant (the value of this Plant is discussed in Attachment B to this submission) to continue to operate after quarry extraction activity ceases. At present, the City Council argues this would be an Industrial/Urban activity and therefore cannot be provided for without falling foul of the RPS. Therefore the Council considers this Plant would have to relocate to an industrial zone within the Urban Limits. The Trust submits this cannot be what the LURP intended. Purchasing the necessary amount of land for an aggregate processing plant in the industrial zone would be extremely costly if not prohibitive. In addition, the Trust would lose significant value in having to relocate a fit-for-purpose plant for no environmental gain – the effects of processing on the site have been in existence for decades.

It could also allow the new workshop to establish and service both rural and non-rural fleets and enable the Trust to continue deriving an economic use from the land to support its conservation activities. The City Council planners have said that although a Rural Industrial type of zone might be a sensible solution in this location (given the existing mix of activity), the RPS does not recognise or provide for these sorts of semi-rural/semi-urban uses and therefore Christchurch City Council cannot provide for it in the CRDP. The Trust has faced similar arguments previously when discussing possible resource consent applications with the City Council consent planners for the workshop (i.e. the RPS doesn't provide for it, Council would likely decline any application).

All of these issues are by way of example of the problems the very firm Urban Limit is creating currently, and by way of support for making Figure 4 (and Map A of the RPS) indicative only and to provide for some greater flexibility in Chapter 6. Whilst a wholesale relaxation of the Urban Limit is not sought, some ability for the City Council to make sensible rural industrial zoning or consenting decisions in appropriate locations is strongly favoured by the Trust.

The Trust would be happy to elaborate further on these issues, including to meet and discuss, if this would assist.

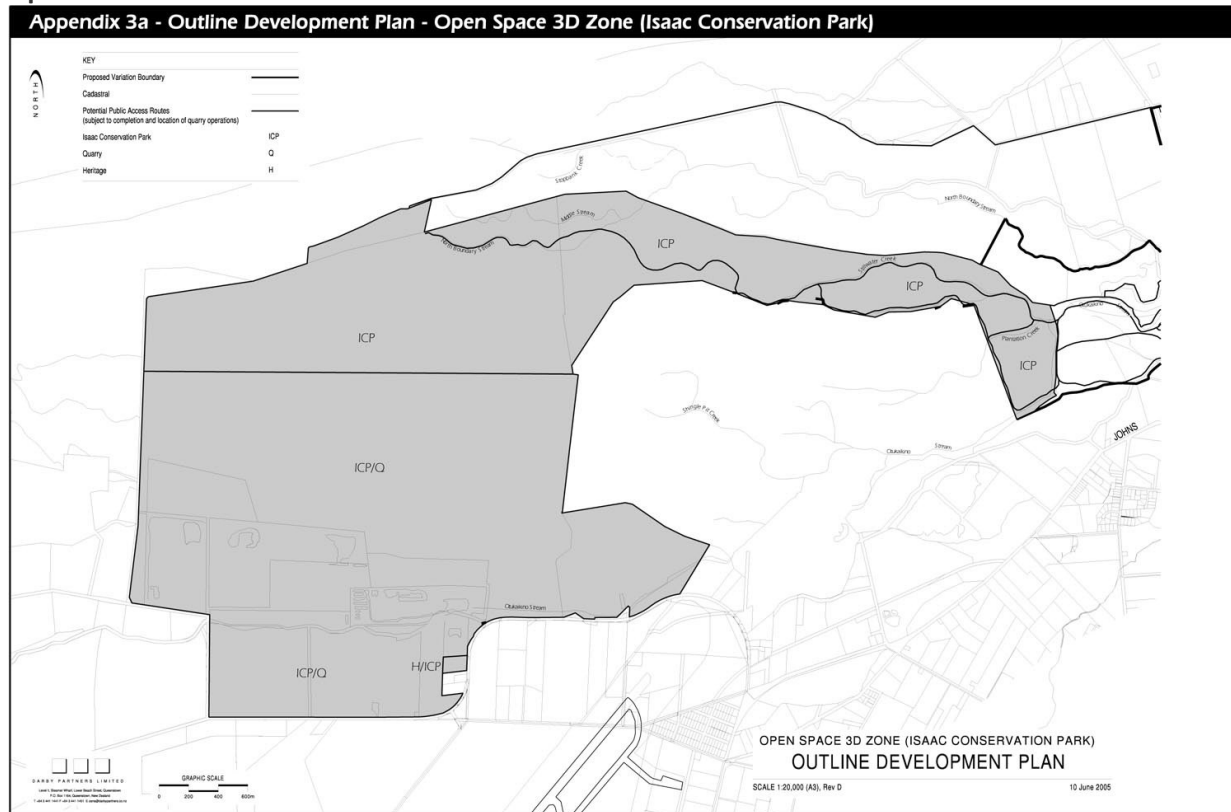
Do you have comments on matters where the LURP Review is not recommending change?

As above, the LURP needs to direct the RPS to allow some relaxation of the strict rural/urban delineation, for rural industrial uses. Review of the Rural Activity definition and/or Urban Activity definition may also be warranted, to provide for appropriate rural industrial uses such as aggregate processing as a stand-alone proposition in the rural area. Industrial type activities that typically locate in a rural zone and for which a rural location is more practicable and economically feasible should be provided for in the rural area.

Attachment A: The Isaac Conservation and Wildlife Trust Landholdings

Appendix 3a - Outline Development plan - Open Space 3D Zone (Isaac Conservation Park)

Updated 16 November 2009



Attachment B: The Isaac Conservation and Wildlife Trust – Background and Objectives

The ICWT's Vision and Objectives

1. The ICWT is a privately funded charitable trust, founded in 2009. However the work of the ICWT was fundamentally established in 1977 by Sir Neil and Lady Diana Isaac, who's shared vision, now continued by the ICWT, was to demonstrate that commerce and conservation can progress in partnership.
2. The ICWT owns an 1200 hectare area of land located at McLeans Island, to the northwest of Christchurch and northwest of the Airport.
3. The land is divided into three parts: the Isaac Conservation Park (**Conservation Park**), Peacock Springs and Farm Land. The total area of land in part, abuts the southern Primary Stopbank of the Waimakariri River to the north, the Canterbury Regional Council McLeans Island recreational resources to the west and adjoins and links with Clearwater to the east. The land sits within an area that historically formed part of the southern branch of the Waimakariri River and is located to the north of McLeans Island Road.
4. The Trust Deed provides the future direction of the conservation and wildlife activities at the Conservation Park in accordance with the wishes of the late Sir Neil and Lady Diana Isaac, to develop a conservation park through the rehabilitation of quarry land at McLean's Island and to assist with the need for protecting native endangered bird, reptile and plant species. Under the Deed, the ICWT's objectives include:
 - a. The completion of the Conservation Park for posterity.
 - b. The reclamation of quarry land for the creation of wildlife habitat.
 - c. The breeding of endangered endemic bird, reptile and plant species.
 - d. To promote public support and interest for preservation and conservation programmes.
5. The ICWT is required to fund the achievement of these objectives. In simple terms, the ICWT controls commercial enterprises (e.g. quarrying and construction) and money from these enterprises provides funding for the various ICWT projects, including the on-going development of the Conservation Park and associated conservation and wildlife activities.

Activities of the Trust

6. The ICWT employs 16 people involved in wildlife, heritage, conservation, maintenance, landscape and administration duties.
7. There are three major focuses for the ICWT at both a long-term and every day level:
 - a. Fauna conservation – The ICWT runs captive breeding programmes for

critically endangered native species of birds, reptiles and fish, which has been instrumental in preventing certain species from extinction. This work is undertaken in south-western section of the Conservation Park called Peacock Springs. This site encompasses approximately 200 hectares of former quarry pits, which have been rehabilitated and repurposed to house purpose-built aviaries and enclosures. The ICWT's efforts concentrate on the ongoing success of the captive breeding programmes within this part of the Conservation Park, and maintaining its network of water bodies which are also utilised and of vital importance to the breeding programmes.

- b. Flora conservation – Re-vegetation is another vital part of the ICWT's overall plan for the Conservation Park. The ICWT's efforts focus on an endemic range of native vegetation in pockets, across parts of the 1100 ha site. Endemic native planting is an ongoing exercise and examples include Otukaikino Stream (South Branch / Waimakariri River). Walking tracks will be developed on the land adjacent to Otukaikino Stream, so that the general public can enjoy access to the river and observe the native planting programme.
 - c. Historic building conservation – The ICWT has begun a process embodied by the creation and development of the Heritage Village. These buildings are rescued from demolition and brought to the site to be fully restored.
8. As part of its captive breeding activities, the ICWT works in conjunction with the Department of Conservation and their relative species recovery groups, the Zoo and Aquarium Association plus other New Zealand captive breeding institutions. The ICWT currently breeds the following species: black stilt, NZ shore plover, orange-fronted parakeet, blue duck, brown teal, South Island kaka, tuatara, grand skink, Otago skink and Canterbury mudfish. The ICWT also breeds Cape Barren geese and mute swan for Ducks Unlimited New Zealand. In the past the ICWT has held North Island brown kiwi, Campbell Island teal, yellow-crowned parakeet, red-crowned parakeet, takahe, kea, yellowhead and NZ wood pigeon.
 9. The ICWT has decades of animal husbandry and captive breeding experience, specialising in New Zealand species with a high threat status. The ICWT is currently the only facility to breed orange-fronted parakeet globally, the only facility outside of the Department of Conservation to breed black stilt and New Zealand shore plover, and is a significant contributor in annual blue duck and brown teal releases. Wild collected eggs are also transferred to the ICWT for various species. Eggs are artificially incubated, chicks reared and juveniles pre-conditioned, until release into the wild.
 10. The ICWT also funds a number of University and other scholarships to encourage and support the study and understanding of conservation and the environment.

Funding

11. The ICWT is self funding and was established to continue in perpetuity. The income that is derived from its land based holdings is the vital component that allows the ICWT to continue its achievements across the conservation based enterprises undertaken by the ICWT. The income derived from the Isaac land holdings provides the ICWT with the ability to fund all of the charitable expenditure. For this reason, the ICWT must adopt a long-term planning approach for the Isaac land holdings and associated commercial enterprises.

12. The Isaac Construction Company Limited (**ICCL**), is 70% owned by the ICWT and 30% by the Estate of Diana, Lady Isaac. ICCL has been based at the Park since the 1950s.
13. The ICCL is based at Peacock Springs. The company employs two hundred and twenty staff. Its activities are carried out at Peacock Springs and the Conservation Park, and include quarrying, cleanfill operation, manufacture of bituminous products, engineering workshops, transport, administration and other related activities.
14. Other activities which are carried out on site and controlled by ICWT include salmon farming and processing, dairy farming, sheep, beef and crop farming, rental housing, concrete manufacture, heritage village and wildlife operations.
15. The ICWT estimates that the capital investment in plant and equipment associated with the ICCL's quarry operation (including crushing, processing and asphalt plant) is in the order of \$25 million. The value of ICCL itself is estimated by the ICWT to be in the order of \$50 million. Other assets, including land owned by ICWT total another \$50 million. The total assets owned by ICWT are estimated to be approximately \$100 million.
16. ICCL currently holds a suite of resource consents that authorise the extraction and processing of aggregates over an area of approximately 660 hectares within the Park and ancillary activities.
17. The Trust and the Construction Company are also heavily involved in supporting and enabling the recovery of Christchurch City since the earthquakes. Demand for concrete and aggregate supply has increased significantly, with resultant increases in quarrying and related activity at the Isaac site. Demand for the Construction Company's other services have also increased significantly, with resultant strain on the workshop and fleet infrastructure.
18. The Trust is very reliant on the resource management planning framework to provide for the ongoing achievement of the Trust's objectives and the growth of the Construction Company. The success of the Trust and the Construction Company are inextricably linked.

Unusual Features of the Trust's Activities

19. There are several characteristics of the Trust's McLeans Island landholdings and activities that are undertaken within it that distinguish it from other quarry operators and rural landowners in Christchurch. They include:
 - The size of the landholdings – a single site of approximately 1200ha in area;
 - The wide range of activities undertaken within that site. At present the site contains grazing pasture, working quarries, spring-fed streams with riparian enhancement works underway, works underway for passive recreational access by the public, a heritage village, a dairy farm, a salmon farm and factory (commercial), salmon rearing (Fish and Game), concrete batching plant, asphalt plant, crushing and screening plant, stockpiling of gravel, ancillary offices,

workshop and fleet for Isaac Construction Ltd and endangered species breeding aviaries/programmes;

- The existing large extent of buildings, hard packed and impervious surface areas in the vicinity Peacock Springs/quarry processing area.
 - Predominantly shallow quarries – the majority of the Trust’s quarries average 3m in depth. A current application to quarry the dairy farm area has a maximum depth of quarrying of 5m, the deepest of any of the Trust’s quarries. The shallow depth of the quarries is a direct reflection of the site’s proximity to the Waimakariri River and many spring fed streams, and related high groundwater levels, which rise to the north and east of the site;
 - Rehabilitation – while the shallow nature of the quarry requires spatially large areas to be worked at any given time (up to 20ha) when compared to other gravel quarries in Christchurch, the shallow depths are an advantage in supporting rehabilitation of the site to pasture on completion of quarrying. Rehabilitation is progressive, involves re-spreading of topsoil and reseeded with grass. When rehabilitation is complete, the land is leased again for farming purposes. The rehabilitated land is indistinguishable from surrounding unquarried grazing land, except that it is slightly lower;
 - Significant capital investment in permanent processing plant and equipment at the site (inclusive of the asphalt plant), plus a significant concrete batching plant established at the site by AML Concrete in 2008;
 - Absence of sensitive activities – the Trust’s land holdings are a considerable distance from the nearest residential zone. There are setback distances between the current quarry areas and the nearest rural dwellings owned by another party of between 800m and 2.3km;
 - Site constraints – a large proportion of the site is contained within the Waimakariri River primary floodplain. The Waimakariri River flood protection scheme, currently still under reconstruction, has been designed to channel large floods through the Isaac landholdings. The site is located in relatively close proximity to Christchurch International Airport and thus is affected by airport noise. High voltage transmission lines are located along the western boundary of the site. High groundwater levels across much of the site; and
 - Fauna and flora conservation - as outlined above.
20. Together, these characteristics create both unusual opportunities and challenges that distinguish the Trust’s landholdings and activities from others in Christchurch.