

Before the Independent Hearings Panel  
at Christchurch

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*under:* the Resource Management Act 1991 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

*in the matter of:* submissions and further submissions in relation to the proposed Christchurch Replacement District Plan

*and:* the Chapter 8 Subdivision, Development and Earthworks (part) **Stage 2** Proposal

*and:* **Orion New Zealand Limited**  
*Submitter 2340 / F-2797*

Memorandum of counsel for Orion New Zealand Limited in relation to Chapter 8 Subdivision, Development and Earthworks

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Date: 23 October 2015

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REFERENCE: JM Appleyard (jo.appleyard@chapmantripp.com)

**MEMORANDUM OF COUNSEL FOR ORION NEW ZEALAND LIMITED  
IN RELATION TO CHAPTER 8 SUBDIVISION, DEVELOPMENT AND  
EARTHWORKS**

May it please the Panel:

- 1 This memorandum is filed on behalf of Orion New Zealand Limited (*Orion*), submitter 2340 and further submitter 2797 on Stage 2 of the proposed Replacement District Plan and in particular in relation to Chapter 8 Subdivision, Development and Earthworks.
- 2 Via its submissions Orion sought a rule to provide corridor protection for Orion's strategic electricity distribution lines to control the potential effects of earthworks on those lines.
- 3 Corridor protection in relation to Chapter 8 Subdivision, Development and Earthworks was the subject of discussion at targeted mediation on 21 September involving planners, where agreement was reached between all parties who were present. Following that mediation, corridor protection provisions were included in the revised version of the proposal attached to **Mr Long's** evidence.
- 4 Subsequently there was general mediation on 22 September 2015 but corridor protection was not discussed.
- 5 Orion's evidence (from **John Scheele**) is therefore consistent with previous indications of the Panel that it should only focus on matters still in contention following mediation. It did not deal with the issues of corridor protection. It supports **Mr Long's** evidence.
- 6 Following submitter evidence being lodged a submitter, Federated Farmers, filed "*rebuttal*" evidence. The evidence does not rebut **Mr Scheele's** evidence given in relation to the Subdivision Chapter but comments on evidence given in relation to corridor protection given by two other witnesses, **Shane Watson** and **Laura Buttimore** in relation to the Residential Chapter.
- 7 The purpose of this memorandum therefore is to seek leave of the Panel, for the evidence of **Mr Watson** and **Ms Buttimore** submitted at the stage 1 Chapter 14: Residential (part), Chapter 15: Commercial (part) and Chapter 16: Industrial (part) hearings be regarded as evidence at this hearing and updated for the purposes of responding to **Ms McKenzie's** "*rebuttal*" in the Subdivision Chapter on the issue of corridor protection.
- 8 **Mr Watson** and **Ms Buttimore** have prepared supplementary briefs of evidence attaching their previous evidence and providing updates to that evidence as relevant to the present hearing. Orion

respectfully requests that the Panel accept this supplementary evidence.

- 9 **Mr Watson** and **Ms Buttimore** will be available for questions from the Panel or other submitters on this evidence at the hearing.

Dated: 23 October 2015



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**JM Appleyard**

Counsel for Orion New Zealand Limited