

BEFORE THE CHRISTCHURCH REPLACEMENT DISTRICT PLAN HEARINGS PANEL

IN THE MATTER of the Resource Management Act 1991 and the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014

AND the Proposed Christchurch Replacement Plan (Chapter 8: Subdivision, Development and Earthworks)

**SUPPLEMENTARY STATEMENT OF EVIDENCE OF LAURA CATHERINE BUTTIMORE
ON BEHALF OF ORION NEW ZEALAND LIMITED (SUBMITTER 2340)**

PLANNING

Dated the 23rd day of October 2015

INTRODUCTION

1. My name is Laura Catherine Buttimore.
2. I am a Consultant Planner with Resource Management Group Ltd (RMG), an urban and environmental planning consultancy, based in Christchurch.
3. I hold the qualifications of a Bachelor of Resource and Environmental Planning (Honours) from Massey University. I am a Full Member of the New Zealand Planning Institute.
4. I have over six years' experience as a planner working in local authority and private consultancy within New Zealand. Over this time I have prepared and processed a variety of resource consents and notice of requirements, as well as preparation of, and submissions on Plan Changes. This has included preparing and presenting evidence at Council hearings and the Environment Court. I have prepared and presented planning evidence on behalf of Orion as part of this Replacement Plan process.
5. I have read the Expert Witness Code of Conduct set out in the Environment Court's Practice Note 2014. I have complied with the Code of Conduct in preparing this evidence and I agree to comply with it while giving oral evidence before the Hearing Panel. Except where I state that I am relying on the evidence of another person, this written evidence is within my area of expertise. I have not omitted to consider material facts known to me that might alter or detract from the opinions expressed in this evidence.

EXECUTIVE SUMMARY

6. The purpose of this evidence is to respond to the rebuttal evidence produced by Ms Mackenzie for Federated Farmers. Much of this evidence relies on my prior evidence submitted to the Hearings Panel as part of the Stage 1, Chapter 14 Residential hearing and Chapters 15 and 16 Commercial and Industrial hearing. For the benefit of new panel members I have included the most recent Commercial, Industrial evidence as Appendix 1 to this evidence.

7. This evidence relates to the inclusion of 'corridor protection' provisions within the Subdivision, Development and Earthworks Chapter of the pCRDP. Corridor protection is a term that relates to providing a buffer or separation between development and overhead electricity distribution and transmission lines. Orion seeks to have elements of its identified electricity lines (66kV, 33kV distribution lines and the Heathcote to Port of Lyttelton 11kV electricity line) recognised and included within the pCRDP for protection. The 'corridor protection' provisions also seek fencing setbacks from distribution lines support structures.
8. In relation to Chapter 8 Orion is seeking that any earthworks meets the requirements sets out in the New Zealand Electrical Code of Practice (NZECP34:2001). Orion is not seeking any further protection beyond what is required in the NZECP34:2001.
9. The Orion electricity lines that are being sought to be included within the pCRDP for protection are identified on the proposed planning maps attached as Appendix 1 to Mr Watson's previous evidence submitted as part of the stage 1 Residential hearing and also in maps attached to Orion's stage 2 submission.

SCOPE OF EVIDENCE

10. Orion made a submission and further submission on Chapter 8 of the pCRDP (stage 2) seeking amongst other things provisions relating to corridor protection for Orion's identified electricity network. Mr John Scheele has provided planning evidence for Orion on Chapter 8 for others matters that exclude the corridor protection provisions. No evidence was originally prepared for corridor protection matters given Mr Long (CCC planner) and I are in agreement on the nature of Orion earthworks provisions as reflected in the latest redline version of the rules appended to Mr Long's rebuttal evidence dated 21 October 2015.
11. The reasons for corridor protection and the requirement to ensure these strategic assets are protected are outlined in my earlier evidence attached as **Appendix 1**. However, by way of summary, it

is my opinion that Orion's identified strategic lines fit within the definition of strategic infrastructure both under the Canterbury Regional Policy Statement (CRPS) and Chapter 3 of the proposed Christchurch Replacement District Plan (pCRDP) and therefore warrant protection.

12. This supplementary evidence relates to Chapter 8 of the pCRDP. In my evidence I will discuss the following:

- The agreed provisions shown in Mr Long's evidence and rebuttal evidence dated 21 October 2015.
- The evidence Ms Mackenzie of Federated Farmers;

13. In preparing my evidence I have reviewed:

- the relevant provisions of Chapter 8 of the pCRDP;
- The Orion original submission and further submission;
- The further submissions on Orion's original submission;
- The Evidence in Chief for the Christchurch City Council (the City Council) Mr Long, dated 5 October 2015 and his rebuttal evidence dated 21 October 2015;
- The rebuttal evidence of Ms Mackenzie for Federated Farmers, dated 21 October; and
- The supplementary evidence of Orion's Network Assets Manager Shane Watson, dated 23 October 2015.

14. In my evidence I have relied upon the evidence of Mr Watson.

STATUTORY FRAMEWORK

The Proposed Christchurch Replacement District Plan

Agreement between Mr Long and myself

15. Mr Long and I are in agreement on the nature of protection sought by Orion for earthworks provisions within Chapter 8 of the pCRDP. I attended targeted mediation on the 22nd of September where the nature of the corridor protection provisions for both Transpower and Orion were discussed. Email correspondence followed this mediation between Mr Long and myself and the redline version included in both Mr Long's primary and rebuttal evidence reflect this agreed position.
16. It was accepted that a permitted activity approach that aligned with the NZECP34:2001 was an appropriate way to ensure protection of these assets and avoid unnecessary regulation for landowners. I believe this agreed version to be a less onerous than what Orion originally sought in submissions.
17. The redline version included in Mr Long's rebuttal evidence (dated 21 October 2015) includes the agreed position between Mr Long and myself on the nature of earthworks around Orion's identified strategic assets.

Ms Mckenzie's evidence

18. Ms Mckenzie states in her paragraph 5 that Orion is seeking provisions that go beyond the NZECP. This statement is incorrect as the proposed corridor protection rules (included as proposed Rule 8.8.2 P4 and P5, Rule 8.8.3 RD11 and Rule 8.8.4 NC1) have been drafted to provide permitted activities for where earthworks occur in accordance with the NZECP34:2001.
19. In relation to Ms Mckenzie's comments on Orion not being included within the CRPS or pCRDP definitions of strategic infrastructure I disagree. As outlined in Appendix 1 in paragraphs 34 and 43, I believe Orion's identified strategic distribution lines fit within the definition of strategic infrastructure. The sheer scale and number of customers that these identified lines service mean in my opinion that are of a greater than local importance and warrant protection under the relevant objectives and policies of the CRPS and Chapter 3 of the pCRDP.

20. I am confused by the position outlined in paragraph 8 of Ms Mckenzie's evidence as she seeks the deletion of P5 under Rule 8.8.2, but from my reading the retention of P4. P4 relates to earthworks within 10m of a 66kV electricity line where as P5 relates to earthworks within 5m of a 33kV and 11kV Heathcote to Lyttelton electricity distribution lines. The deletion of P5 but the retention of P4 to protect any electricity distribution line 66kV and below as suggested by Ms Mckenzie would create a greater level of regulation on landowners than what is currently drafted in P5 where the setback requirements are less onerous for 33kV and 11kV assets.
21. I support Ms Mckenzie's position at her paragraph 20 that buffer zones are needed for the safety of Plan users or for lines companies' ease of maintenance. These two reasons along with security of supply and reverse sensitivity effects are the fundamental reasons Orion is seeking these earthworks provisions in the pCRDP.
22. Ms Mckenzie at her paragraph 22 outlines that Federated Farmers does not accept buffer distances over and above what is specified in the NZECP34:2001. Given that the agreed Chapter 8 version attached in Mr Long's rebuttal evidence is only seeking earthworks provisions to be in accordance with the provisions set out in the NZECP34:2001 I do not understand Ms Mckenzie's concern. Orion originally sought in submissions a more onerous earthworks framework for earthworks within close proximity to their identified strategic assets. Orion through targeted mediation has agreed to a more refined permitted standard that allows earthworks in accordance with NZECP34:2001 to occur as of right.
23. Despite the proposed Orion earthworks provisions reflecting the nature of the NZECP34:2001 it is my understanding that Ms Mckenzie believes this should not be provided as a rule but rather a note a in the pCRDP (36a of Ms Mckenzie's evidence). Given the evidence of Mr Watson outlines the difficulties Orion faces with placing sole reliance on the NZECP34:2001 I consider a note and no regulatory requirement in the pCRDP would result in adverse reverse sensitivity effects for Orion.

CONCLUSION

24. Overall it is my opinion that the Chapter 8 redline version attached to Mr Long's rebuttal evidence, dated 21 October 2015 provides the most appropriate way of managing potential reverse sensitivity effects on Orion's identified strategic infrastructure. I believe this is the best way to give effect to the relevant objectives and policies in the CRPS and the objectives outlined in Chapter 3 of the pCRDP.
25. I believe the permitted earthworks provisions provided in Rule 8.8.2 P4 and P5 ensure earthworks within certain distances of lines and support structures occurs in a safe and efficient manner whilst ensuring no unnecessary regulation is imposed on landowners.

Laura Buttimore

23 October 2015

**Appendix 1: Statement of Evidence Laura Buttimore: Chapters 15 and 16
Commercial/Industrial of the pCRDP**