



Resource and Environmental Management Consultants

ORION NEW ZEALAND LIMITED
NOTICE OF REQUIREMENT
BROMLEY ZONE SUBSTATION, CHRISTCHURCH

Date of Issue: 15 July 2014



ORION NEW ZEALAND LIMITED

NOTICE OF REQUIREMENT

BROMLEY ZONE SUBSTATION, CHRISTCHURCH

Prepared By: Penny Lemon
Consultant Planner
Resource Management Group Ltd

Resource Management Group
Level 4, 69 Cambridge Terrace
PO Box 908, Christchurch Box Lobby
Christchurch 8140

Reviewed By: Graham Taylor
Director
Resource Management Group Ltd

Date: 15 July 2014
Reference: OR024.00
Status: FINAL (Relodged)

Approved for Release By: Anthony O'Donnell
Orion New Zealand Limited

FORM 18 - NOTICE OF REQUIREMENT
PURSUANT TO SECTION 168 OF THE RESOURCE MANAGEMENT ACT 1991

TO: CHRISTCHURCH CITY COUNCIL
FROM: ORION NEW ZEALAND LIMITED

Orion New Zealand Limited (Orion) hereby gives notice of its requirement for the designation of the part of the Bromley Zone Substation, as follows:

1. The site to which the requirement applies is:

Name	Bromley Zone Substation
Address	Ruru Road, Bromley
Legal Description	Lot 1 DP 473065
Area of Designation	1.1926ha
Land Owner	Orion New Zealand Limited

The location of the site and the extent of the designation are shown on the Designation Plan attached as Appendix 1.

2. The nature of the proposed work and the nature of any proposed conditions:

Refer to Sections 1 – 5 of the Notice.

3. The effects that the proposed work will have on the environment and the ways in which any adverse effects will be mitigated:

Refer to the Notice.

4. Alternative sites, routes, and methods considered:

Refer to the Notice.

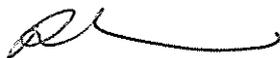
5. The public work and designation are reasonably necessary for achieving the objectives of Orion because:

Refer to the Notice.

6. Consultation with parties likely to be affected:

Refer to the Notice.

Signed by the person authorised to sign on behalf of person giving notice



Penny Lemon
Consultant Planner
Resource Management Group Ltd



Graham Taylor
Director
Resource Management Group Ltd

Address for Service:

Orion New Zealand Limited
C/-Resource Management Group Limited
PO Box 908
Christchurch Box Lobby
CHRISTCHURCH 8140

Attn: Penny Lemon/Graham Taylor
(03) 943 4112
penny@rmgroup.co.nz / graham@rmgroup.co.nz

Address for Billing and Monitoring:

Orion New Zealand Limited
PO Box 13896
Christchurch 8141

Attn: Anthony O'Donnell
anthony.odonnell@oriongroup.co.nz

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NOTICE OF REQUIREMENT FOR DESIGNATION

1. Orion New Zealand Limited (Orion) owns and operates the electrical distribution network between the Waimakariri and Rakaia Rivers and supplies line services to over 190,000 customers within Selwyn District and Christchurch City. Orion's core purpose is to consistently deliver a safe, secure and cost-effective supply of electricity.
2. Pursuant to Section 168 of the Resource Management Act 1991 (RMA), Orion gives notice of its requirement (Notice) for the designation of land containing the Bromley Zone Substation to be included in the Operative and Proposed Christchurch City District Plan (the Proposed City Plan). The designation is for 'electricity substation' purposes, as follows:

Purpose	Site Name	Location	Legal Description	Planning Map	Underlying Zone
Electricity Substation	Bromley Zone Substation	Ruru Road	Lot 1 DP 473065	40	Business 5

3. The land subject to this Notice is currently designated by Transpower New Zealand Limited (Transpower) for 'electricity substation' purposes. Ownership of this land was transferred from Transpower to Orion on 1 April 2014. Typically, in cases like this, a designation would simply be transferred from one Requiring Authority, pursuant to Section 180 of the RMA. However that section does not provide for the transfer of a part designation, hence this new designation is required.
4. This Notice reflects the boundaries of the new ownership arrangement, and includes Easement E (rights of way to Cuthberts Road). Transpower will continue to hold a designation over the balance of the site and are currently pursuing an alteration to that designation.
5. The Subdivision Plan and CFR are attached as *Appendix 1*. The area subject to this Notice is Lot 1 DP 473065 and is 1.1926ha.
6. The designation of the Bromley Zone Substation will provide for ongoing administration of the site and the wider electricity network. No works are proposed in association with the new designation. Orion intend to carryover the existing designation conditions, however a minor amendment is

sought to one of the conditions to reflect Orion’s ownership (and remove the reference to Transpower). Refer to *Appendix 2*.

7. Schedule 1, Clause 4 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014 sets out the process for the inclusion of Notices of Requirement in the Proposed City Plan. Clause 4(7) sets out that if Council is given notice of a requirement for a designation and proposes to give public notice of a proposal within 50 days of receiving the requirement, the Council may, with the consent of the Requiring Authority, include the requirement in the Proposed City Plan. In this case, Orion provides consent to have this Notice included within the Proposed City Plan. Discussions have been held with Adele Radburnd of Christchurch City Council (Council) to this effect.

THE SITE TO WHICH THIS NOTICE RELATES

8. Bromley Zone Substation is used for the switching and distribution of 11kV electricity and is an integral part of the electricity supply network in eastern Christchurch.

9. The site to which this Notice relates is as follows:

Name	Bromley Zone Substation
Address	Ruru Road, Bromley
Legal Description	Lot 1 DP 473065
Area of Designation	1.1926ha
Land Owner	Orion New Zealand Limited

10. The site contains a building which houses 11kV switchgear; an outdoor switchyard containing high voltage switchgear, transformers and other associated electrical equipment.

11. The site has frontage and vehicular access to Ruru Road and vehicular access to Cuthberts Road via easement.

12. The site is fenced by a mesh security fence and some landscaping exists along the Ruru Road boundary.

13. The site is not permanently staffed; however it is visited every 2 – 3 months for scheduled inspection and preventative maintenance purposes. These visits generally occur during the hours of 8am – 5pm. The site will also be visited on a demand basis where required due to equipment failure or other matters requiring urgent or emergency attention.

14. The site is located within the Business 5 Zone, which contains activities largely industrial in nature. To the north, east and west of the site, is land which formed part of the original Bromley Substation site. This is largely grassed with pockets of vegetation, and there is a building immediately adjacent to the northern boundary. South of the site, beyond Ruru Road is a Transpower Substation.

ASSESSMENT OF EFFECTS ON THE ENVIRONMENT

15. The effects which may result from the designation are considered to be socio-economic and cultural effects, effects of noise and electromagnetic fields (EMF), as well as effects on parking and access and landscape and visual amenity. These effects are considered below.

Effects on Socio-Economic and Cultural Wellbeing

16. Utilities form an essential part of community infrastructure. The Bromley Zone Substation provides for electricity distribution in eastern Christchurch which supports general socio-economic and cultural wellbeing of the community. The designation of the substation will provide greater certainty in this respect.

Noise

17. As the substation is existing and no new works are proposed in association with this Notice, there will be no effects of construction noise and no change to operational noise at the site. Should works be proposed in future, matters relating to any noise generated will be addressed through the Outline Plan process.

Electromagnetic Fields (EMF)

18. As the substation is existing and no new works are proposed in association with this Notice, there will be no change to the EMF levels generated from the substation. The substation will continue to operate in accordance with Condition 6 of the current Transpower designation of the site, as follows:

Condition 6: With respect to all sites, no facility shall create exposures to power frequency electric and magnetic fields in areas normally accessible to the public exceeding 100 micro teslas as measured and assessed in accordance with the International Commission on Non-ionising Radiation Protection Guidelines.

19. The International Commission on Non-Ionising Radiation Protection (ICNIRP) recommend for public exposure reference levels of 5,000 volts per metre for electric fields and 100 microtesla for magnetic fields. These recommendations were published in 1998, and are based on a review of the health effects research and include a safety factor. Condition 6 reflects this.

Parking and Access

20. No changes are proposed to the existing access and parking arrangement at the site. There is vehicle access to Ruru and Cuthberts Road (via Easement E) and sufficient space available within the site to accommodate parking associated with service and maintenance vehicles visiting the site. There is also sufficient area for on-site manoeuvring.

Landscape and Visual Impacts

21. As the substation is existing and no new works are proposed in association with this Notice, the visual effects of the substation already exist on the site and form part of the existing environment. Existing vegetation will be retained, which aid in screening the substation building from Ruru Road. Activities at the substation will continue to reflect Condition 3 of the current Transpower designation which control buildings and outdoor storage areas. Should works be proposed in future, matters relating to additional visual effects will be addressed through the Outline Plan process.

Effects Conclusion

22. The designation of the site will secure the ongoing operation of the Bromley Zone Substation and wider electricity network. This will result in positive effects associated with socio-economic and cultural wellbeing of the community. The nature and scale of building and activity on the site are well established, and no new works are proposed in association with this Notice. Future works at the site will be considered through an Outline Plan process.
23. It is therefore considered that effects associated with this Notice exist at the site and no additional effects will be generated as a result. The effects are simply in name and Requiring Authority only. Because of this, it is not considered necessary to require any additional conditions to be attached to the designation.

STATUTORY CONSIDERATIONS

22. Section 171(1) of the RMA sets out that when considering a Notice, a Territorial Authority must, subject to Part 2, consider the effects on the environment of allowing the requirement, having particular regard to matters (a) – (d). For completeness, matters (a) – (d) of Section 171(1) are considered as follows.

Section 171(1)(a): ‘any relevant provisions of (i) a national policy statement:(ii) a New Zealand coastal policy statement: (iii) a regional policy statement or proposed regional policy statement: (iv) a plan or proposed plan.’

National Policy Statements (NPS)

23. There are four national policy statements. As the site is not located in the Coastal Environment, the New Zealand Coastal Policy Statement is not relevant. Similarly, as the activity does not involve freshwater, the Freshwater Management NPS is not relevant.
24. The Renewable Electricity Generation Policy Statement is also not specifically relevant to this requirement, because the designation sought does not relate to generation of electricity.
25. The Electricity Transmission NPS is intended to give guidance on the management and future planning of the *national grid*. Orion’s operations do not form part of the national grid. However, for completeness, it is noted that the NOR is not inconsistent with this NPS.

Canterbury Regional Policy Statement (CRPS)

26. The CRPS provides for a strong emphasis to be placed on regionally significant infrastructure, which includes the electricity distribution network. The NOR is considered to be consistent with the CRPS, as it contributes towards providing for a reliable and resilient electricity transmission network (Policy 16.3.4).

Regional Plans

27. The Natural Resources Regional Plan (NRRP) and the proposed Land and Water Regional Plan (pLWRP) do not contain specific provisions relating to infrastructure, or any other provisions applicable to this Notice.

Christchurch City Plan

28. The Christchurch City Plan contains objectives and policies relating to both new and existing utilities. Those relevant to this Notice and Bromley Zone Substation are as follows:

Objective 8.1: Co-ordination of the provision of utilities with development in the City.

Policy 8.1.6: To recognise the future needs of utilities and ensure their provision in conjunction with the provider.

*Objective 8.3 (a) Avoid remedy or mitigate the adverse effects of utilities on their surrounding environments, particularly those in living areas or areas of high landscape value; and
(b) Avoid, remedy or mitigate the adverse effects of utilities that generate significant levels of low frequency magnetic fields or radio frequency radiation.*

Policy 8.3.3: To ensure that utilities are provided in a manner which takes account of potential adverse effects, particularly effects on public health and significant visual effects with respect to overhead lines, structures, and buildings associated with utilities, having regard to the character of the local environment.

Policy 8.3.5: To ensure that large scale utilities are subject to controls to avoid, remedy or mitigate adverse effects, and that adjoining development does not compromise their operations.

29. The general premise of the above objectives and policies recognise the essential nature of utilities and the 'public good' which results from their provision. This is balanced, however, with the recognition of the need to ensure the resulting environmental effects are acceptable. Preceding assessments have determined this to be the case, given that the substation exists on the site and no new works are proposed.
30. Overall it is concluded that this Notice is not inconsistent with the objectives and policies of the Christchurch City Plan.

Section 171(1)(b): 'Whether adequate consideration has been given to alternative sites, routes, or methods of undertaking the work if (i) the requiring authority does not have an interest in the land sufficient for undertaking the work; or (ii) it is likely that the work will have a significant adverse effect on the environment.'

31. The Bromley Zone Substation is an existing substation, owned by Orion. Therefore Orion have a sufficient interest in the land subject to this designation. In addition, the preceding effects assessment has concluded that the nature of any actual or potential adverse effects are existing. Therefore it is not necessary to consider alternative sites, routes or methods of undertaking the work.

Section 171(1)(c): 'whether the work and designation are reasonably necessary for achieving the objectives of the requiring authority for which the designation is sought.'

32. In this case the work (establishment of a substation) has already occurred, and this Notice seeks to designate an existing work. In fact, it will reflect the existing designation at the site, which is for the same purpose.
33. It is considered that the designation, as a planning tool, is reasonably necessary to assist Orion in achieving their core purpose to consistently deliver a safe, secure and cost-effective supply of electricity.

The alternatives to designation are:

1. Reliance on the operative City Plan rules; or
 2. Resource consent
34. The City Plan rules and the consent process do not provide a long term planning tool to effectively and efficiently address the ongoing operation and any potential future development of the site.
35. There are also process and consistency issues associated with alternatives to designation. As noted earlier, Orion's network is located across two districts, with differing plan provisions.

The designation and Outline Plan process provide for uniform planning regime across the Districts, notwithstanding the differences between the District Plans.

36. The Environment Court considered these issues in *Christchurch City Council v Ministry of Education* (C 130/2003). In that case the Court found that:

“...we conclude that designation holds a significant number of benefits for the Minister in this case and that it is the preferable planning method to be utilised for the reasons set out in the decision of the Court in Takamore Trustees paragraphs 140 – 143 and in particular:

- (a) It signals the potential for future changes on the site;*
- (b) It provides a clear methodology for such changes to occur (the outline plan procedure);*
- (c) It provides a uniform approach throughout many different districts, particularly for the Minister;*
- (d) That the existing uses are well established;*
- (e) That the necessity for change is unequivocal. It is clear that both education requirements and student numbers change regularly;*
- (f) It is not possible to freeze the existing position in terms of plan provisions.”*

37. The Court went on to conclude that:

“In the alternative, designation better meets the sustainable management purposes of the Act.”

38. While that case dealt with the application of designation to the Minister of Education’s property portfolio, the reasons behind the appropriateness of the designation as a planning tool are equally applicable to this Notice. This is particularly so when considered in the context of a “uniform approach” argument to managing Orion’s other strategic assets. Therefore, it is considered that the designation better meets the sustainable management purposes of the RMA and is ‘reasonably necessary’ to achieve the objectives of the Requiring Authority.

Section 171(1)(d): 'any other matter the territorial authority considers reasonably necessary in order to make a recommendation on the requirement.'

39. There are no other matters considered reasonably necessary to make a decision on this Notice.

CONSULTATION

40. Orion has undertaken preliminary consultation regarding this designation process, and this Notice, with Christchurch City Council and Transpower. No other consultation has been undertaken on the basis that the activity already exists on the site and there is therefore no change in effects from those that exist currently.

CONCLUSION

41. Orion gives notice of its requirement to designate land containing the Bromley Zone Substation. The designation is for 'electricity substation' purposes and will provide for ongoing administration of the site and the wider electricity network. No works are proposed in association with this Notice.
42. The land subject to this Notice is currently designated by Transpower for 'electricity substation' purposes and Orion intend to carryover the existing designation conditions; with minor amendment.
43. The preceding assessment of effects concludes that the effects associated with this designation exist at the site, and no additional adverse effects are anticipated. The effect of the designation is simply in name and Requiring Authority only. Similarly, it is considered that the Notice and designation are not inconsistent with relevant statutory provisions.
44. The use of the designation as a planning tool is considered reasonably necessary to achieve Orion's core purpose and given Orion has sufficient interest in the land and the effects of the designation are existing, it is not necessary to consider alternative sites, routes or methods.
45. Given this, it is considered that the designation and the Notice are consistent with the purpose and principles of the RMA.
46. As provided for by Schedule 1, Clause 4 of the Canterbury Earthquake (Christchurch Replacement District Plan) Order 2014, Orion provides consent to have this Notice included within the Proposed City Plan. Discussions have been held with Council to this effect.

Appendix 1: Subdivision Plan and CFR

PROPOSED MEMORANDUM OF EASEMENT

PURPOSE	SERVIANT TENEMENT		DOMINANT TENEMENT
	LOT N°	SHOWN	
RIGHT OF WAY	1	A	Lot 2
	2	E	Lot 1
RIGHT TO CONVEY ELECTRICITY, TELECOMMUNICATIONS AND COMPUTER MEDIA	1	B,C	Lot 2
RIGHT TO DRAIN SEWAGE	1	D	Lot 2



DATA QUALITY STATEMENTS

SUBDIVISION PROPOSAL PLAN ONLY. AREAS AND DIMENSIONS ARE SUBJECT TO FINAL SURVEY. PREPARED FOR THE PURPOSE OF OBTAINING A RESOURCE CONSENT ONLY.

PROPERTY DATA

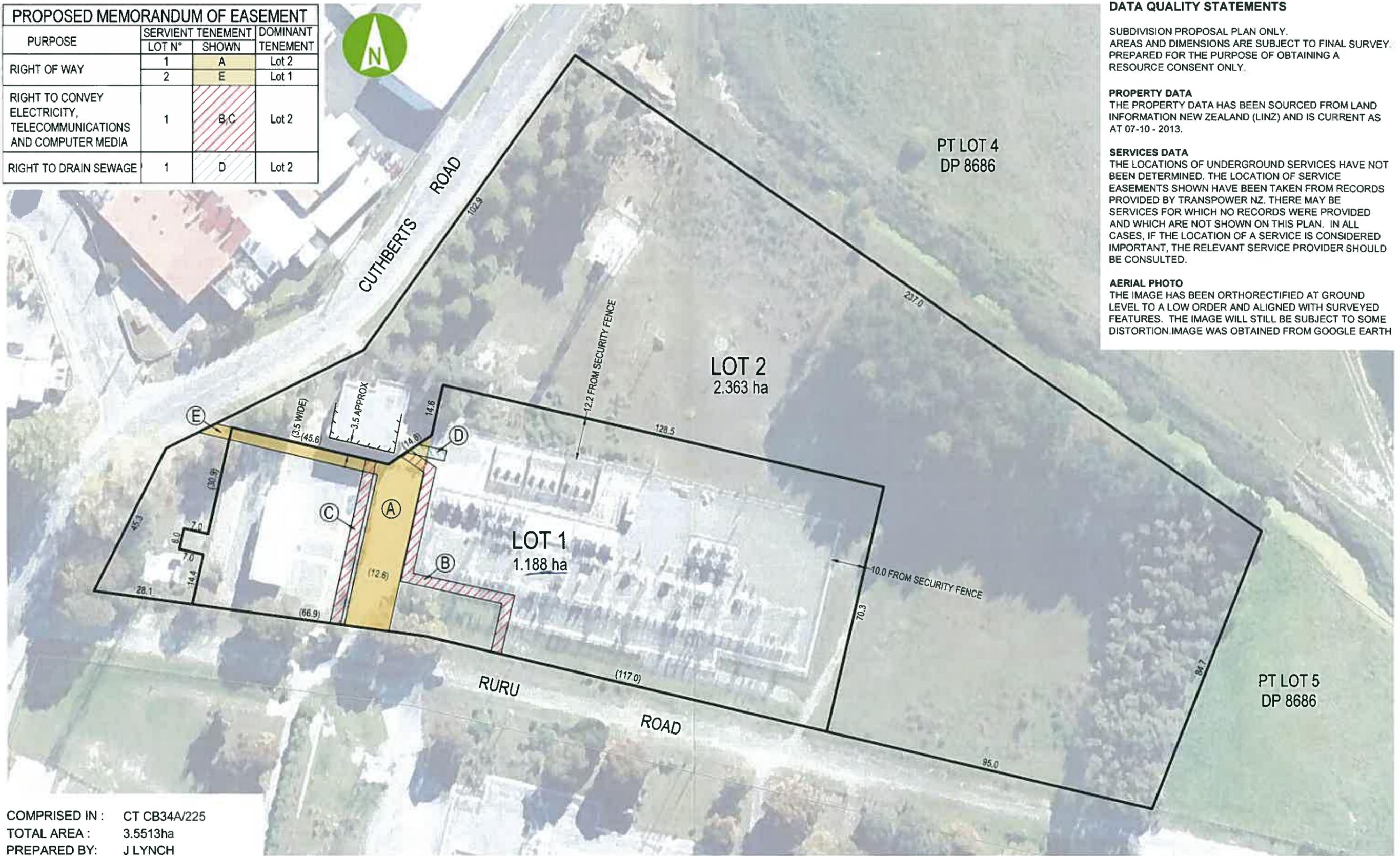
THE PROPERTY DATA HAS BEEN SOURCED FROM LAND INFORMATION NEW ZEALAND (LINZ) AND IS CURRENT AS AT 07-10 - 2013.

SERVICES DATA

THE LOCATIONS OF UNDERGROUND SERVICES HAVE NOT BEEN DETERMINED. THE LOCATION OF SERVICE EASEMENTS SHOWN HAVE BEEN TAKEN FROM RECORDS PROVIDED BY TRANSPOWER NZ. THERE MAY BE SERVICES FOR WHICH NO RECORDS WERE PROVIDED AND WHICH ARE NOT SHOWN ON THIS PLAN. IN ALL CASES, IF THE LOCATION OF A SERVICE IS CONSIDERED IMPORTANT, THE RELEVANT SERVICE PROVIDER SHOULD BE CONSULTED.

AERIAL PHOTO

THE IMAGE HAS BEEN ORTHORECTIFIED AT GROUND LEVEL TO A LOW ORDER AND ALIGNED WITH SURVEYED FEATURES. THE IMAGE WILL STILL BE SUBJECT TO SOME DISTORTION. IMAGE WAS OBTAINED FROM GOOGLE EARTH



COMPRISED IN : CT CB34A/225
 TOTAL AREA : 3.5513ha
 PREPARED BY: J LYNCH
 Licensed Cadastral Surveyor
 05-11-2013



Plot Date: 22/11/2013 3:21:40 p.m. Office: HZCHC File Name: P123256 - TRANSPOWER RURU RD/CADASTRAL SURVEY/23256 SU01 PROPOSAL PLAN.DWG



REV	DATE	REVISION DETAILS	APPROVED
A	05-11-13	ISSUED FOR DISCUSSION	M HANRAHAN
B	07-11-13	ISSUED FOR CONSENT	M HANRAHAN
C	11-11-13	SEWER EASEMENT ADDED	M HANRAHAN
D	12/11/13	BOUNDARY AMENDMENTS	M HANRAHAN
E	22/11/13	ROW 'E' ADDED	M HANRAHAN

SCALE	SIZE
1:1000	A3
DRAWN	
T STOCKER	
DESIGNED	
T STOCKER	
CHECKED	
J LYNCH	

ISSUED	DATE
M HANRAHAN	05-11-2013
APPROVED	
M HANRAHAN	

PROJECT	TITLE
BROMLEY SUBSTATION 79 RURU ROAD BROMLEY	LOTS 1 & 2 BEING PROPOSED SUBDIVISION OF LOT 1 DP 57447
DRAWING No.	PROJECT No.
239256 - 0000 - DRG - LND - SU01.01 - E	



COMPUTER FREEHOLD REGISTER UNDER LAND TRANSFER ACT 1952



R. W. Muir
Registrar-General
of Land

Search Copy

Identifier 646394
Land Registration District Canterbury
Date Issued 01 April 2014

Prior References

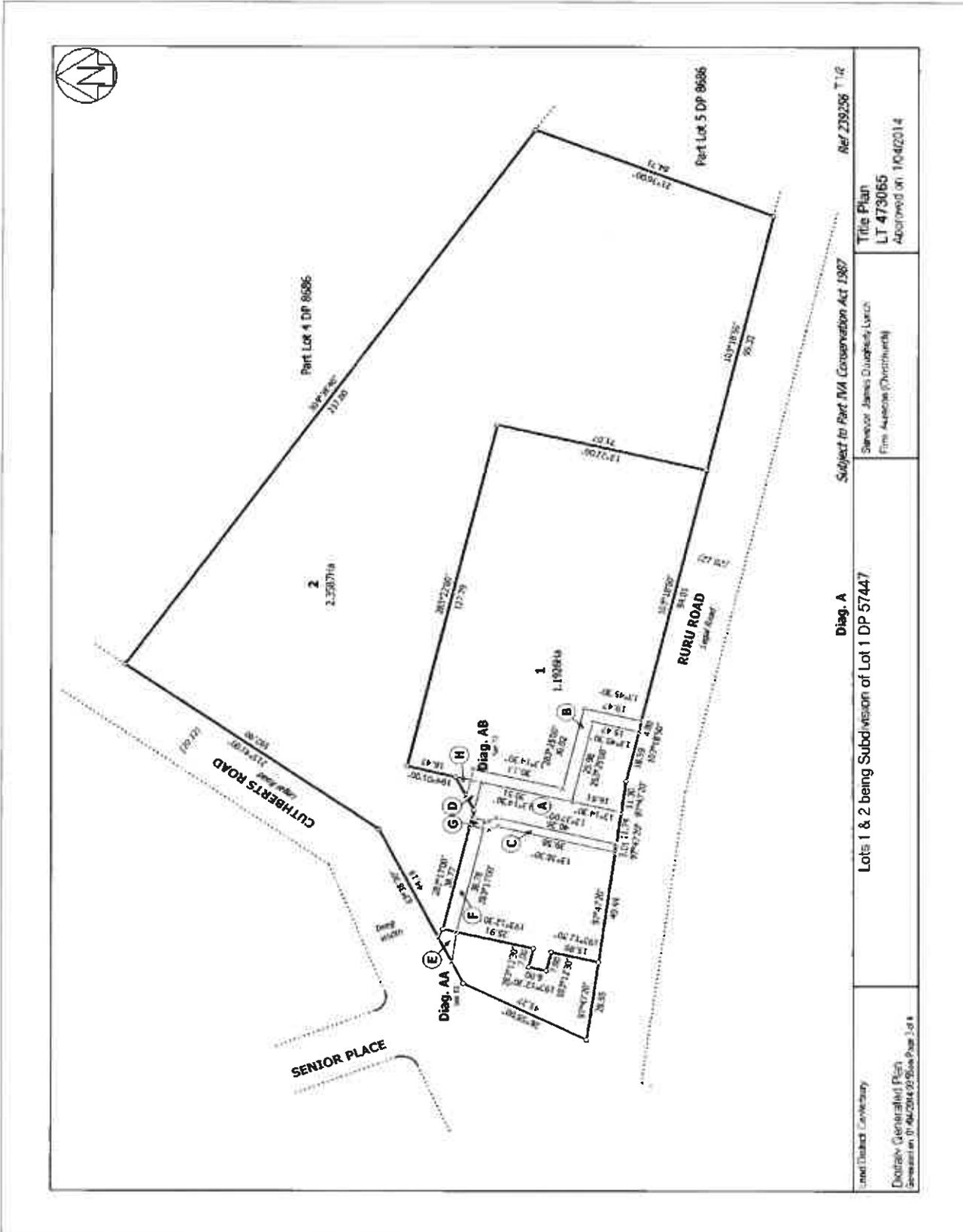
CB34A/225

Estate Fee Simple
Area 1.1926 hectares more or less
Legal Description Lot 1 Deposited Plan 473065

Proprietors
Orion New Zealand Limited

Interests

Subject to Section 3 Petroleum Act 1937
Subject to Part IV A Conservation Act 1987
Subject to Section 8 Atomic Energy Act 1945
Subject to Sections 5 and 261 Coal Mines Act 1979
Subject to Section 3 Geothermal Energy Act 1953
Subject to Sections 6 and 8 Mining Act 1971
9650949.6 Consent Notice pursuant to Section 221 Resource Management Act 1991 - 1.4.2014 at 4:14 pm
Subject to a right of way over part marked A, D, F, G & H on DP 473065 created by Easement Instrument 9650949.7 - 1.4.2014 at 4:14 pm
Appurtenant hereto is a right of way created by Easement Instrument 9650949.7 - 1.4.2014 at 4:14 pm
The easements created by Easement Instrument 9650949.7 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right to convey electricity, telecommunications and computer media over part marked B, C, D and G on DP 473065 created by Easement Instrument 9650949.8 - 1.4.2014 at 4:14 pm
Some of the easements created by Easement Instrument 9650949.8 are subject to Section 243 (a) Resource Management Act 1991
Subject to a right to convey water over part marked A, D, F, G and H on DP 473065 created by Easement Instrument 9650949.9 - 1.4.2014 at 4:14 pm
The easements created by Easement Instrument 9650949.9 are subject to Section 243 (a) Resource Management Act 1991



Appendix 2: Designation Conditions

Conditions of Bromley Substation

The following are the existing conditions relevant to the Bromley Substation. The only amendment is to Condition 7 to reflect Orion's documentation - additions sought are underlined and the deletions sought shown as ~~strike through~~.

1. *The term "building" in the following conditions shall include any structure whether permanent, moveable or immovable. The term building shall not include a fence or wall less than 2m in height, structures less than 6m² in area and less than 1.8m in height, temporary structures for maintenance and construction purposes, cables and associated ancillary fittings, lightning rods, aerials, antennae not exceeding 1.5m diameter on the Islington Substation sites or 3m in diameter on the Addington and Bromley Substation sites.*
2. *Conditions (3) and (4) below shall apply only to outdoor storage areas, new buildings or additions to existing buildings.*
3. *With respect to the Addington and Bromley substations :*
 - (a) The maximum total floor area of all floors of all buildings on the site (measured to the inside of the exterior walls) shall not exceed an area equivalent to 1.5 times the area of the site*
 - (b) Buildings shall be set back a minimum of 6m from a boundary of the site with a road.*
 - (c) – Addington Substation only.*
 - (d) All outdoor storage areas shall be screened from any road frontage of the site by buildings, close-boarded fences, or a continuous screen of plants that equal or exceed the height of any stored materials except that any close boarded fence shall not exceed 1.8m or outdoor storage exceed that height when located in the setback specified in 3(c).*
4. *Islington Substation and Systems Control Centre only.*
5. *With respect to all sites, no facility shall emit radio frequency electromagnetic radiation in excess of the exposure standards in NZS 2772.1(1999).*

6. *With respect to all sites, no facility shall create exposures to power frequency electric and magnetic fields in areas normally accessible to the public exceeding 100 micro teslas as measured and assessed in accordance with the International Commission on Non-ionising Radiation Protection Guidelines.*

7. *With respect to all sites, all works shall comply with ~~Transpower's 'Oil Containment Facilities and Spill Mitigation Code of Practice (Issue 2 March 1994)'~~ Orion's Standard Environmental Management Procedures for Oil and Fuel (NW70.10.02).*