

Proposed Christchurch Replacement District Plan

SECTION 32

CHAPTER 14 RESIDENTIAL (PART)

Corridor Protection Setbacks - 11kV Heathcote to Lyttelton Electricity Distribution Line Proposal

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1. STRATEGIC CONTEXT

1.1 PURPOSE AND SCOPE OF THE CORRIDOR PROTECTION SETBACKS

Corridor protection is a term that relates to providing a buffer or separation between development and overhead electricity distribution and transmission lines.

Decision 10 on the Residential Chapter (part) of the proposed Christchurch Replacement District Plan (pRDP) resulted in the inclusion of provisions for corridor protection over Orion's identified 33kV and 66kV electricity distribution lines. This decision reflects the strategic importance of these distribution lines and the need to protect their role and function by avoiding adverse effects from incompatible activities, including reverse sensitivity effects.¹

The provisions covered by this Section 32 assessment relate to the 11kV Heathcote to Lyttelton line, which the Independent Hearings Panel (IHP) determined to be outside the scope of submissions on the Notified Version of the pRDP (but that as an element of strategic infrastructure, is deserving of appropriate protection).²

This proposal seeks to have the 11kV Heathcote to Lyttelton line recognised and included within the pRDP for protection from sensitive activities and also from buildings by way of setback. The 'corridor protection' provisions also include fencing setbacks from the 11kV Heathcote to Lyttelton electricity distribution line support structures.

This proposal includes changes to the provisions within Residential Zone rules 14.2.2.5 (Residential Suburban Zone and Residential Suburban Density Transition Zone), 14.3.2.5 (Residential Medium Density Zone) and 14.4.2.5 (Residential Banks Peninsula Zone) only.

This Proposal includes the addition of:

- 5m corridor protection setback for the 11kV Heathcote to Lyttelton electricity distribution line (including foundations of any associated support structure); and
- Non-complying activity status for sensitive activities, buildings and fences within the specified corridor setback.

The proposed corridor protection will (in relation to new activities and development) avoid operational interference with the 11kV Heathcote to Lyttelton line, facilitate access for maintenance and repair, and protect the line from reverse sensitivity effects.

Corridor protection in the pRDP is necessary because, as set out in the evidence of Shane Charles Watson (dated 20 March 2015) on the Stage 1 Residential (part) chapter, there is no other regulation or legislation (that is applicable to the 11kV Heathcote to Lyttelton line) that provides an appropriate level of protection in the form of building or land use restrictions beneath (or near) the line.³ Therefore, without corridor protection in the pRDP there is a risk that new/further development will occur under the 11kV Heathcote to Lyttelton line. Cumulatively, this has the potential to impact on the reliability of power supply to the communities it serves if maintenance and repair opportunities are restricted by this development.

¹ Decision 10, Residential (Part) – Stage 1, para [269].

² Decision 10, Residential (Part) – Stage 1, para [269].

³ Refer Statement of Evidence of Shane Charles Watson, 20 March 2015, para [10.3] – [10.7].

1.2 PROPOSED DISTRICT PLAN: OVERVIEW AND SYNOPSIS

The Strategic Directions chapter (Chapter 3) of the proposed Replacement District Plan (pRDP) recognises the need to provide for a regulatory tool (corridor protection) to manage reverse sensitivity effects associated with development near strategic infrastructure.

'Strategic infrastructure' is defined in the pRDP as *'those necessary infrastructure facilities, services and installations which are of greater than local importance, and includes infrastructure that is nationally significant'*. The 11kV Heathcote to Lyttelton line fits within the definition of 'strategic infrastructure' because it is necessary infrastructure which provides an important service beyond the local level. Specifically, it provides electricity to the Port of Lyttelton, which is itself a strategic infrastructure operation and is of regional significance.

The proposed provisions covered by this Section 32 assessment are similar to those that are currently included in Chapter 6.4 Temporary Earthquake Recovery Activities (as per Decision 9 Temporary Activities 6A, 6B and 6C). Under this chapter, displaced activities (including sensitive activities) and storage facilities in Group 2 Zones⁴ are classified as non-complying activities if they are within the 10m corridor setback for a 66kV electricity distribution line (or foundation of an associated support structure) or 5m for a 33kV or the 11kV Heathcote to Lyttelton electricity distribution line (or foundation of an associated support structure). However, it is noted that the same restrictions do not currently apply to Group 1 Zones (including those zones applicable to this proposal),⁵ in which protection is only provided to National Grid transmission lines.

The proposed provisions covered by this Section 32 have also been considered by the IHP in Decision 10 Residential (Part) – Stage 1. The IHP concluded that the 11kV Heathcote to Lyttelton electricity distribution line is an element of strategic infrastructure and is deserving of appropriate protection.⁶ However, the proposed provisions for the protection of the 11kV Heathcote to Lyttelton line were determined to be outside the scope of submissions on the Notified Version of the pRDP. Therefore, they are notified separately through this proposal.

It is also noted that corridor protection for Orion's 33kV and 66kV lines is included in Decision 11 Commercial (Part) and Industrial (Part) – Stage 1. The 11kV Heathcote to Lyttelton line is excluded however, because it does not traverse any commercial or industrial zoned land.

1.3 CONSULTATION

The IHP directed that these provisions be publicly notified.

The direction did not require Council to consult (prior to notification) with anyone who may be affected by the proposal and no consultation has been undertaken to date. However, once

⁴ Group 2 Zones: Open Space (all zones), Papakainga, Residential Bach, Residential Guest Accommodation, Residential Hills, Residential Large Lot, Residential New Neighbourhood, Residential Small Settlement, Rural (all zones), Specific purpose (all zones).

⁵ Group 1 Zones: Commercial Banks peninsula, Commercial Core (except New Brighton), Commercial Fringe, Commercial Local, Commercial Retail Park, Industrial General, Industrial Heavy (except Springs Road), Industrial Office, Industrial Park (except Wairakei Road and Memorial Avenue), Residential Banks Peninsula, Residential Conservation, Residential Medium Density, Residential Suburban, Residential Suburban Density Transition.

⁶ Decision 10, Residential (Part) – Stage 1, para [269].

the proposal is notified Council propose to send a letter and make a phone call to each of the affected property owners (relevant properties listed below), providing information and an opportunity to ask questions about what the proposal means for their property, and how they can make a submission (supporting or opposing the new proposal).

The following properties have been identified as affected by the proposed 11kV Heathcote to Lyttelton line corridor protection setback (and are shown on the maps in Attachment 1). All of these properties are zoned Residential Suburban, except 8A Harmans Road, Lyttelton which is zoned Residential Banks Peninsula.

Property Address	Development Status
64 Port Hills Road, Heathcote	Site proposed for development: www.plcvillages.co.nz/current-project
68 Port Hills Road, Heathcote	Earthworks, subdivision and land use consents – for a retirement village including aged residential care, lifestyle village and commercial building – have been granted for this site (Earthworks: RMA92021193, Subdivision: RMA92021957, RMA92027854 and RMA92027866, Land use: RMA92021958). In the land use application, it was indicated that the 11kV line would be relocated underground as part of the works. Documentation provided with the application indicated that Orion is supportive of this proposal. There is an Advice Note on the land use consent stating that the detailed design of undergrounding the 11kV line needs to be resolved with Orion. However, it is understood that the site has been designed on the basis of this occurring.
72A Port Hills Road, Heathcote	Existing house
57 Martindales Road, Heathcote	Existing house
58 Martindales Road, Heathcote	Existing house
3 Malthouse Lane, Heathcote	Existing house
4 Malthouse Lane, Heathcote	Existing house
8A Harmans Road, Lyttelton	Vacant land. Documents on the property file indicate there may be future plans to subdivide this property (documents pertaining to engineering works for subdivision).

2. RESOURCE MANAGEMENT ISSUES

2.1 STRATEGIC PLANNING DOCUMENTS

The provisions that have been specifically taken into account or have been had regard to in relation to this proposal are summarised in the table below.

Document	Relevant provisions/policy direction	How the proposed provisions will take into account/give effect to the relevant provisions
Canterbury Regional Policy Statement (CRPS)	Definitions: 'Strategic infrastructure' – which is defined as "those necessary facilities, services and installations which are of greater than local importance" and includes "the electricity transmission network".	Orion's 11kV Heathcote to Lyttelton electricity distribution line is provided for in the proposed provisions as an element of strategic infrastructure.
	Objective 5.2.1 "Development is located and designed so that it functions in a way that: (2) Enables people and communities, including future generations, to provide for their social, economic and cultural well-being and health and safety; and which (f) Is compatible with, and will result in the continued safe, efficient and effective use of regionally significant infrastructure; (g) Avoids adverse effects on significant natural and physical resources including regionally significant infrastructure, and where avoidance is impracticable, remedies or mitigates those effects on those resources and infrastructure; (i) Avoids conflicts between incompatible activities."	Orion's 11kV Heathcote to Lyttelton electricity distribution line is provided for in the proposed provisions as an element of regionally significant infrastructure. ⁷ The proposed provisions aim to avoid incompatible land use and activities in proximity to, and to avoid adverse effects on, the 11kV Heathcote to Lyttelton line. They do this by imposing a 5m corridor protection setback and non-complying activity status for new sensitive activities, buildings and fences within the specified corridor setback.
	Objective 6.2.1	The proposed provisions enable integration of strategic

⁷ Refer CRPS, Chapter 5, Land-use and Infrastructure, Introduction, [p28].

	<p>“Recovery, rebuilding and development are enabled within Greater Christchurch through a land use and infrastructure framework that:</p> <p>(9) integrates strategic and other infrastructure and services with land use and development;</p> <p>(10) achieves development that does not adversely affect the efficient operation, use, development, appropriate upgrade, and future planning of strategic infrastructure and freight hubs;</p> <p>(11) optimises use of existing infrastructure;”</p>	<p>infrastructure (the 11kV Heathcote to Lyttelton electricity distribution line) with land use and development by providing a rule framework which aims to avoid incompatible land use and development (new) in proximity to the 11kV Heathcote to Lyttelton line.</p> <p>The proposed 5m corridor protection setback means that new development in adjacent zones will not adversely affect the operation, use, and maintenance of the 11kV Heathcote to Lyttelton line.</p>
	<p>Policy 6.3.5 “Recovery of Greater Christchurch is to be assisted by the integration of land use development with infrastructure by:</p> <p>(2) Ensuring that the nature, timing and sequencing of new development are co-ordinated with the development, funding, implementation and operation of transport and other infrastructure in order to:</p> <p style="padding-left: 40px;">(c) protect investment in existing and planned infrastructure;</p> <p>(4) Only providing for new development that does not affect the efficient operation, use, development, appropriate upgrading and safety of existing strategic infrastructure, ...; and</p> <p>(5) Managing the effects of land use activities on infrastructure, including avoiding activities that have the potential to limit the efficient and effective, provision, operation, maintenance or upgrade of</p>	<p>The proposed provisions respond to the method direction in the CRPS to include rules in district plans to manage reverse sensitivity effects between strategic infrastructure and land use/development.</p> <p>In particular, the proposed 5m corridor protection setback and non-complying activity status for new sensitive activities, buildings and fences within the corridor setback provides a clear indication that activities that could affect or limit the efficient operation, use, and maintenance of the 11kV Heathcote to Lyttelton line should generally not be provided for.</p>

	<p>strategic infrastructure and freight hubs.</p> <p>...</p> <p>Methods Territorial authorities: Will</p> <p>(1) Include in district plans objectives, policies and rules (if any) to give effect to Policy 6.3.5.</p> <p>(2) Include objectives, policies and rules in district plans to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential and rural-residential activities”</p>	
	<p>Objective 16.2.1 Development is located and designed to enable the efficient use of energy, including: (5) avoiding impacts on the ability to operate energy infrastructure efficiently.</p>	<p>The proposed provisions aim to control the location of new development by imposing a 5m corridor protection setback, and non-complying activity status for new sensitive activities, buildings and fences within the corridor setback, in order to avoid impacts on the efficient operation, use, and maintenance of the 11kV Heathcote to Lyttelton line.</p>
Proposed Replacement District Plan (pRDP)	<p>Definitions: ‘Strategic infrastructure’ – which is “those necessary infrastructure facilities, services and installations which are of greater than local importance, and includes infrastructure that is nationally significant.”</p>	<p>Orion’s 11kV Heathcote to Lyttelton electricity distribution line is provided for in the proposed provisions as an element of strategic infrastructure.</p>
	<p>Objective 3.3.12 seeks that: (a) The social, economic, environmental and cultural benefits of infrastructure, including strategic infrastructure, are recognised and provided for, and its safe, efficient and effective development, upgrade,</p>	<p>The proposed provisions reflect the strategic importance of the 11kV Heathcote to Lyttelton line and the need to protect its role and function by avoiding adverse effects from incompatible activities (new), including reverse sensitivity effects.</p>

	<p>maintenance and operation is enabled; and</p> <p>(b) Strategic infrastructure including its role and function is protected by avoiding adverse effects from incompatible activities, including reverse sensitivity effects..."</p>	
	<p>Objective 14.1.3</p> <p>a. Development of sensitive activities does not adversely affect the efficient operation, use, and development of Christchurch International Airport and Port of Lyttelton, the rail network, the National Grid and other strategic transmission lines, the state highway network, and other strategic infrastructure.</p>	<p>The proposed 5m corridor protection setback and non-complying activity status for sensitive activities, buildings and fences within the corridor setback provides a clear indication that activities that could affect or limit the efficient operation, use, and maintenance of the 11kV Heathcote to Lyttelton line should generally not be provided for.</p> <p>The proposed provisions also reflect the strategic importance of the 11kV Heathcote to Lyttelton line and the need to protect its role and function to supply electricity to the Port of Lyttelton.</p>

With regard to the National Policy Statement on Electricity Transmission (NPSET), it is noted that this is a national level policy document which provides guidance on how to manage effects generated by the national transmission network (owned and operated by Transpower) and to provide a policy framework for reverse sensitivity effects generated by development near the National Grid. Orion's electricity distribution lines, including the 11kV Heathcote to Lyttelton line, do not form part of the National Grid and as such, the NPSET (specifically Policy 10 and Policy 11) is not applicable.

2.2 RESOURCE MANAGEMENT ISSUES

RESOURCE MANAGEMENT ISSUE 1 – ENABLING AND MANAGING ELECTRICITY SUPPLY

Development under or near to the 11kV Heathcote to Lyttelton line has the potential to impact on the reliability of power supply to the communities it serves if maintenance and repair opportunities are restricted by development.

Corridor protection for the 11kV Heathcote to Lyttelton line is necessary to maintain a secure electricity supply for the communities it serves. Secure electricity supply is critical for the wellbeing of households, businesses, and other activities including the Port of Lyttelton.

The potential complications caused by having buildings under a line or near to a foundation of an associated support structure, and/or having fences near to a foundation of an associated support structure, are set out in paragraph 10.21 of the statement of evidence of Shane Charles Watson, dated 20 March 2015. In relation to this proposal, these complications generally relate to the ability to access lines, the time it takes to undertake maintenance and repair, the cost of alternative methodologies, and the need to obtain property permissions.

Whilst the proposed corridor protection provisions do not enable changes or reversal of existing cases of residential or other 'sensitive activities' under the 11kV Heathcote to Lyttelton line, they will avoid new/future instances occurring.

RESOURCE MANAGEMENT ISSUE 2 – MANAGEMENT OF ADVERSE EFFECTS

High voltage lines pose a potential health and safety risk to people and property.

The potential issues caused by having people living (or undertaking other 'sensitive activities') under or near to a line are set out in paragraph 10.21 of the statement of evidence of Shane Charles Watson, dated 20 March 2015. In relation to this proposal, these issues generally relate to the potential for lines to fall to ground (rare but possible), and the ability to maintain adequate electrical clearance from the lines when undertaking lines maintenance.

Whilst the proposed corridor protection provisions do not enable changes or reversal of existing cases of residential or other 'sensitive activities' under the 11kV Heathcote to Lyttelton line, they will avoid new/future instances occurring.

RESOURCE MANAGEMENT ISSUE 3 – POTENTIAL TO RESTRICT OPPORTUNITIES FOR DEVELOPMENT ON AFFECTED PROPERTIES

The proposed provisions will introduce new restrictions for landowners on the use and development of land within the corridor protection setback. It is important to note however, that the proposed provisions aim to deal with new development and activities – they are not aimed at trying to change or reverse any existing development or activity.

Existing or consented activities and buildings (lawfully established) will have existing use rights. However, any new activities, additional buildings, or changes to existing buildings (e.g. alterations, extensions, reconstruction etc. including an additional storey/level, building extension, additional residential building (including a granny flat), balcony, change of activity such as a change from residential to another type of sensitive activity)⁸ will have to comply with the new rule framework i.e. a non-complying resource consent application will be required for sensitive activities and buildings (excluding accessory buildings associated with an existing activity) within 5 metres of the centre line of the 11kV Heathcote to Lyttelton electricity distribution line or within 5 metres of a foundation of an associated support structure.

It is noted that the proposed provisions do not apply to accessory buildings associated with an existing activity e.g. a garage, shed, carport etc.⁹ In addition, not all development would be

⁸ Note that this is not an exhaustive list of what could or could not occur under the proposed provision, it is provided to offer examples to aid understanding.

⁹ Refer to the definition of 'accessory building' in the pRDP for a full list.

restricted by the proposed provisions – reference should be made to the definition of ‘building’ in the pRDP e.g. a deck or an aerial may not constitute a ‘building’.

While an application for resource consent can be made for a non-complying activity, the statutory test is high. An application for a non-complying activity must pass the ‘gateway test’ i.e. before granting an application Council must be satisfied that either the adverse effects of the activity on the environment will be minor, or the proposed activity will not be contrary to the objectives and policies of the district plan. Under the framework of the pRDP, it may be difficult to determine that new development or activity within the setback (depending on what it is) will not be contrary to the objectives and policies because the policy direction to ‘avoid adverse effects from incompatible activities, including reverse sensitivity effects’ generally does not allow for it.

A brief assessment of the impact of the provisions on each of the affected properties is provided in the table below:

Property Address	Impact of provisions
64 Port Hills Road, Heathcote	<p>Earthworks, subdivision and land use consents – for a retirement village including aged residential care, lifestyle village and commercial building – have been granted for this site (Earthworks: RMA92021193, Subdivision: RMA92021957, RMA92027854 and RMA92027866, Land use: RMA92021958). In the land use application, it was indicated that the 11kV line would be relocated underground as part of the works. Documentation provided with the application indicated that Orion is supportive of this proposal. There is an Advice Note on the land use consent stating that the detailed design of undergrounding the 11kV line needs to be resolved with Orion. However, it is understood that the site has been designed on the basis of this occurring.</p> <p>If the line is undergrounded, there will be little impact in terms of future development potential on the site. However, it is noted that some form of corridor protection may still be required to enable maintenance of the below ground infrastructure.</p>
68 Port Hills Road, Heathcote	
72A Port Hills Road, Heathcote	<p>The proposed setback restricts development over approximately one third of this property. There is an existing shed beneath the line, which may remain under existing use rights, but any future development within this portion of the site will be subject to the proposed provisions.</p>

57 Martindales Road, Heathcote	<p>The proposed setback affects a small wedge/corner of this property (eastern boundary/south-east corner). The property access/driveway is located on the affected boundary. There is an existing house, a section of which is already right up against the affected boundary and within the corridor protection setback (may remain under existing use rights).</p> <p>As above, any future development within the portion of the site affected by the proposed setback will be subject to the proposed provisions.</p>
58 Martindales Road, Heathcote	<p>The proposed setback only affects a small corner of this relatively large property, which has established trees and no existing development.</p> <p>As above, any future development within the portion of the site affected by the proposed setback will be subject to the proposed provisions.</p>
3 Malthouse Lane, Heathcote	<p>There is an existing house, a small portion of which is within the corridor protection setback. The existing building may remain under existing use rights, but any additional building work (e.g. extension towards eastern boundary, additional storey) within the setback will be subject to the new provisions.</p>
4 Malthouse Lane, Heathcote	<p>There is an existing house, a small portion of which is within the corridor protection setback. The existing building may remain under existing use rights, but any additional building work (e.g. extension towards eastern boundary, additional storey) within the setback will be subject to the new provisions.</p>
8A Harmans Road, Lyttelton	<p>The proposed setback only affects a small section of this property (north-west corner). However, this is a vacant site with no known resource consents granted for development (although documents on the property file indicate there may be future plans to subdivide this property). Any future development will be subject to the proposed provisions i.e. no sensitive activities or buildings within the setback.</p>

3. SCALE AND SIGNIFICANCE EVALUATION

The level of detail required for the evaluation of the proposed provisions has been determined by an assessment of the scale and significance of the implementation of the proposed provisions. The scale and significance assessment considers the environmental, economic, social and cultural effects of the provisions and whether the provision:

- is predetermined by a higher order document; and/or
- is important to resolve an issue or problem particularly to protect life and property; and/or
- there are a wide range of policy options or only variations of a theme; and/or
- the policy direction (provision) will radically change from business as usual; and/or
- the policy will affect reasonable use of land; and/or
- adversely affects specific stakeholder interests; and/or
- gives rise to adverse effects and whether there is certainty of effects based on the availability of information to assess benefits and costs.

T This Proposal has been drafted in response to (or giving consideration to, in the case of Issue 3) the three key issues identified above.

The proposed provisions seek to protect the role and function of the 11kV Heathcote to Lyttelton electricity distribution line as an element of strategic infrastructure by restricting new development within the identified corridor protection setback and thereby avoiding potential adverse effects from incompatible activities, including reverse sensitivity effects. This reflects the policy direction of higher order documents including the CRPS. In particular, it is noted that one of the methods contained in Policy 6.3.5 of the CRPS directs Council to include rules in the district plan to manage reverse sensitivity effects between strategic infrastructure and subdivision, use and development, including for residential activities.

In effect the range of policy options are subtle variations on the same theme of providing some form of protection to the 11kV Heathcote to Lyttelton electricity distribution line within the pRDP. The option of providing no protection has been considered but that approach would not give effect to Strategic Objective 3.3.12 of the pRDP or the relevant objectives and policies in the CRPS.

There is currently no protection afforded to the 11kV Heathcote to Lyttelton line under the operative City Plan or Banks Peninsula District Plan, although the operative City Plan does provide some protection to other lines on the Orion electricity network (refer Part 9 General City Rules, Rules 9.4.4.7 and 9.4.4.8). In addition, as discussed above in Section 1.3, many of the proposed provisions covered by this Section 32 assessment are similar to those that are currently included in Chapter 6.4 Temporary Earthquake Recovery Activities (as per Decision 9 Temporary Activities 6A, 6B and 6C), although the relevant restrictions do not currently apply to the zones applicable to this proposal. Furthermore, corridor protection for Orion's identified 33kV and 66kV lines is included in Decision 11 Commercial (Part) and Industrial (Part) – Stage 1, although the 11kV Heathcote to Lyttelton line is excluded because it does not traverse any commercial or industrial zoned land. These existing rules indicate a general policy direction to protect strategic infrastructure through corridor protection setbacks in order to avoid adverse effects from incompatible activities.

There are eight properties affected by this proposal, including:

- Four properties where existing houses/buildings are located within the proposed 5m corridor protection setback;

- One property where the existing house is located outside the proposed 5m corridor protection setback;
- Two properties (held as one site) proposed for the development of a retirement village; and
- One vacant property.

As outlined in the sections above, existing or consented activities and buildings (lawfully established) will have existing use rights but any new activities, additional buildings, or changes to existing buildings will have to comply with the new rule framework. The proposed provisions will however have significant benefits in terms of ensuring safe and secure electricity supply to the residents and businesses in the communities served by the 11kV Heathcote to Lyttelton line, including the Port of Lyttelton.

4. EVALUATION OF OBJECTIVES

Section 32(1)(a) of the RMA requires the Council to evaluate the extent to which the objectives are the most appropriate way to achieve the purpose (Section 5) of the Act.

No evaluation of objectives is necessary as part of this proposal because this proposal does not propose any new objectives or any changes to existing objectives. Rather it proposes provisions to respond to the objectives that have already been considered and confirmed by the IHP through their decisions on Chapter 3 Strategic Directions and Chapter 14 Residential (part).

Therefore, in the case of this proposal, the proposed provisions are to be assessed against whether they are the most appropriate to achieve the relevant objectives. This analysis is provided in Section 5 below.

5. EVALUATION OF PROPOSED POLICIES, RULES AND METHODS

Section 32 (1)(b) requires an evaluation of whether the provisions are the most appropriate way to achieve the objectives by identifying other reasonably practicable options, assessing the efficiency and effectiveness of the provisions in achieving the objectives, and summarising the reasons for deciding on the provisions.

The following options were evaluated to determine the most appropriate mechanism for providing protection to the 11kV Heathcote to Lyttelton line, having regard to their efficiency and effectiveness, and the benefits and costs.

- Option A: Retain the provisions of the Decision Version of Residential Chapter (part) of the pRDP – no protection to Orion’s 11kV Heathcote to Lyttelton line.
- Option B: Amend the provisions of the Residential Chapter (part) of the pRDP to provide protection for Orion’s 11kV Heathcote to Lyttelton line (as proposed, by way of a 5m corridor protection setback and non-complying activity status for sensitive activities, buildings and fences within the specified corridor setback).
- Option C: Provide protection to the 11kV Heathcote to Lyttelton line by way of designation (of land), equivalent to the 5m corridor protection setback.

- Option D: Classify sensitive activities within the protection corridor as discretionary or restricted discretionary, rather than non-complying, activities.

These options are evaluated in the table below.

OPTION	BENEFITS	COSTS
<p>Option A: Retain the provisions of the Decision Version of Residential Chapter (part) – no protection to Orion’s 11kV Heathcote to Lyttelton line.</p>	<p>No restrictions would be imposed on landowners with regard to development within the proposed 5m corridor protection setback of the 11kV Heathcote to Lyttelton electricity distribution line or support structure.</p>	<p>Six of the eight affected properties have existing or consented development on them, but there is potential that any further development, or future development on currently undeveloped sites, will further restrict access to line and support structures.</p> <p>Would not give effect to Strategic Objective 3.3.12 of the pRDP or the relevant objectives and policies in the CRPS, because it does not recognise the strategic importance that the 11kV Heathcote to Lyttelton electricity distribution line has within Christchurch and provides no protection to avoid adverse effects from incompatible activities or reverse sensitivity. In addition, this option does not respond to the method direction in the CRPS to include rules in the district plan to manage reverse sensitivity effects between the 11kV Heathcote to Lyttelton electricity distribution line (as an element of strategic infrastructure) and land use/development.</p>
<p>Option B: Amend the provisions of the Residential Chapter (part) of the pRDP to provide protection for Orion’s 11kV Heathcote to Lyttelton line (as proposed, by way of a 5m corridor protection setback and non-</p>	<p>Six of the eight affected properties have existing or consented development on them, but this option would avoid any further development, or future development on currently undeveloped sites that could</p>	<p>New restrictions and reduced flexibility for landowners in terms of the activities/development (new) allowed within the proposed corridor protection setback. Any new sensitive activities,</p>

<p>complying activity status for sensitive activities, buildings and fences within the specified corridor setback).</p>	<p>restrict (or further restrict) access to lines and support structures.</p> <p>Provides clarity for landowners about what is acceptable and what is not in terms of activities and development within the proposed corridor protection setback i.e. certainty about what they can or cannot do. A non-complying activity status gives a clear indication that certain activities and/or development is not appropriate and should generally not be allowed for.</p> <p>Would give effect to Strategic Objective 3.3.12 of the pRDP and the relevant objectives in the CRPS, because it recognises the strategic importance that the 11kV Heathcote to Lyttelton electricity distribution line has within Christchurch and provides a level of protection to avoid adverse effects from incompatible activities and reverse sensitivity. In addition, this option responds to the method direction in the CRPS to include rules in the district plan to manage reverse sensitivity effects between the 11kV Heathcote to Lyttelton electricity distribution line (as an element of strategic infrastructure) and land use/development.</p>	<p>additional buildings (except accessory buildings associated with an existing activity), or changes to existing buildings will likely require a non-complying resource consent. Consent will only be granted if the effects are minor, or the proposed activity will not be contrary to the objectives and policies of the district plan. Consultation (and potentially written approval) from Orion (or other electricity distribution network operator) would also likely be required.</p>
<p>Option C: Provide protection to the 11kV Heathcote to Lyttelton line by way of designation (of land).</p>	<p>Six of the eight affected properties have existing or consented development on them, but this option would avoid any further</p>	<p>New restrictions and reduced flexibility for landowners in terms of the activities/development (new) allowed within the</p>

	<p>development, or future development on currently undeveloped sites that could restrict (or further restrict) access to line and support structures.</p> <p>Provides clarity for landowners about what is acceptable and what is not in terms of activities and development within the proposed corridor protection setback i.e. certainty about what they can or cannot do.</p> <p>Would give effect to Strategic Objective 3.3.12 of the pRDP and the relevant objectives in the CRPS, because it recognises the strategic importance that the 11kV Heathcote to Lyttelton electricity distribution line has within Christchurch and provides a level of protection to avoid adverse effects from incompatible activities and reverse sensitivity. In addition, this option responds to the method direction in the CRPS to include rules in the district plan to manage reverse sensitivity effects between the 11kV Heathcote to Lyttelton electricity distribution line (as an element of strategic infrastructure) and land use/development.</p>	<p>proposed corridor protection setback. Any activity or development within the designated area would require RMA s176 approval from Orion (or other electricity distribution network operator) and an Outline Plan would likely be required. In effect this means that Orion would be making the decision as to whether any works could occur within the designation.</p> <p>Risk to the landowner that the designated land could be compulsorily acquired at some point, for the purposes of the designation.</p> <p>Inconsistent with the approach taken throughout the remainder of the pRDP.</p>
<p>Option D: Classify sensitive activities within the protection corridor as discretionary or restricted discretionary, rather than non-complying, activities.</p>	<p>Less onerous activity status for resource consent applications to develop within a 5m corridor of the 11kV Heathcote to Lyttelton electricity distribution line or support structure. Whilst an application for a</p>	<p>Discretionary or restricted discretionary classification may raise the expectations of landowners about the ability/potential for them to develop within 5m of the 11kV Heathcote to Lyttelton line. However, the objective</p>

	<p>discretionary or restricted discretionary activity still needs to consider the relevant objectives and policies as part of the AEE, the application does not have to meet the test of being “not contrary” to the objectives and policies.</p>	<p>and policy framework (i.e. the framework within which Council will consider any resource consent application) seeks that strategic infrastructure is protected to avoid adverse effects from incompatible activities (emphasis added) indicating that activities that could result in adverse effects on strategic infrastructure should generally not be provided for.</p> <p>Inconsistent with the approach taken throughout the remainder of the pRDP with regard to other electricity distribution lines.</p> <p>Would not give full effect to Strategic Objective 3.3.12 of the pRDP which, as noted above, seeks that strategic infrastructure is protected to avoid adverse effects from incompatible activities (emphasis added) indicating that activities that could result in adverse effects on strategic infrastructure should generally not be provided for.</p>
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The options identified above, for providing protection to Orion’s 11kV Heathcote to Lyttelton electricity distribution line, all have associated benefits and costs.

It is concluded that Option B is the most appropriate option in terms of providing protection for the 11kV Heathcote to Lyttelton electricity distribution line within the pRDP, maintaining consistency in the approach applied to all other electricity distribution lines identified in the pRDP, and ensuring the objectives of the pRDP are appropriately met. Furthermore it is considered that a non-complying activity status is the most appropriate as it signals that, within the corridor protection setbacks, sensitive activities and buildings are generally inappropriate due to the potential to interfere with the operation and maintenance of strategic infrastructure. This is also consistent with the approach taken throughout the remainder of the pRDP with regard to other electricity distribution lines.

